

NO. 26

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009**

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**THURSDAY, FEBRUARY 26, 2009**  
**(STATEWIDE SESSION)**

**Thursday, February 26, 2009**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rep. BRANHAM, as follows:

Our thought for today is from Isaiah 40:31: "But they that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run, and not be weary; and they shall walk and not faint."

Let us pray. Our Father, help us to wait--to let You become our lifeline, our cord of escape. In waiting, help us to exchange our failing strength for Your unfailing strength. In this unfailing strength, may we soar on eagles' wings in those ecstatic, thrilling times, or run without wearying in those hurried, rushed times, or merely walk. in those most often or regular times. In the monotony of everyday life, help us to do the good and the right, with joy. Hear our prayer, O Lord. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the *SPEAKER PRO TEMPORE*.

After corrections to the Journal of the proceedings of yesterday, the *SPEAKER PRO TEMPORE* ordered it confirmed.

**MOTION ADOPTED**

Rep. HERBKERSMAN moved that when the House adjourns, it adjourn in memory of Yates Davis of Bluffton, which was agreed to.

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 3199

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Section 44-61-520

South Carolina Trauma Care Systems

Received by Speaker of the House of Representatives April 25, 2008

Referred to Medical, Military, Public and Municipal Affairs Committee

Legislative Review Expiration April 1, 2009

Revised: March 12, 2009

**THURSDAY, FEBRUARY 26, 2009**

Revised: March 14, 2009

Revised: March 18, 2009

**REPORT OF STANDING COMMITTEE**

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3508 -- Reps. Barfield, Sandifer, Cato, Ott, Duncan, Pinson, Vick, Brantley, Lucas, Alexander, Erickson, Hardwick, Hiott, Moss, Haley, Jefferson, Allen, Bowen, Edge, Allison, Anthony, Bales, Ballentine, Bannister, Battle, Bowers, Brady, Branham, G. A. Brown, Clemmons, Cole, Cooper, Crawford, Daning, Delleney, Forrester, Gambrell, Gilliard, Gullick, Hamilton, Harrison, Hayes, Herbkersman, Hodges, Horne, Hutto, Kelly, Knight, Littlejohn, Long, Lowe, Mack, Miller, Mitchell, Nanney, J. M. Neal, Neilson, Owens, Parker, E. H. Pitts, M. A. Pitts, Rice, Scott, D. C. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Spires, Toole, Umphlett, Viers, Weeks, White, Whitmire, Williams, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO ADDRESS THE ISSUE OF GLOBAL CLIMATE CHANGE THROUGH THE ADOPTION OF A FAIR AND EFFECTIVE APPROACH THAT SAFEGUARDS AMERICAN JOBS, ENSURES AFFORDABLE ENERGY FOR CITIZENS, AND MAINTAINS AMERICA'S GLOBAL COMPETITIVENESS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3617 -- Rep. Rutherford: A HOUSE RESOLUTION TO URGE APPROPRIATE STATE AGENCIES, AS WELL AS PRIVATE ORGANIZATIONS, TO DEVELOP AND IMPLEMENT POLICIES AND PROGRAMS TO HELP REDUCE OVERWEIGHT AND OBESITY AMONG SOUTH CAROLINA'S YOUTH.

The Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

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**HOUSE RESOLUTION**

The following was introduced:

H. 3618 -- Reps. Gilliard, Dillard, Herbkersman, Horne, Mack and Moss: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE LATE JAMES JAMERSON, A NATIVE CHARLESTONIAN, FOR HIS CONTRIBUTIONS TO THE MUSIC INDUSTRY, ESPECIALLY IN HIS CAPACITY AS A NOTED BASSIST FOR MOTOWN RECORDS AND TO REQUEST THAT HE BE INDUCTED INTO THE SOUTH CAROLINA MUSIC HALL OF FAME.

The Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**HOUSE RESOLUTION**

The following was introduced:

H. 3619 -- Reps. Owens, Hiott, Skelton, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND JANEY TURNER, OF EASLEY, FOR HER FINE WORK ENCOURAGING AMERICAN SERVICEMEN AND WOMEN THROUGH HER NONPROFIT ORGANIZATION, HANDS FOR SOLDIERS, AND TO CONGRATULATE HER ON RECEIVING A 2009 PRUDENTIAL

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SPIRIT OF COMMUNITY AWARD, PRESENTED BY PRUDENTIAL FINANCIAL.

The Resolution was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 3620 -- Rep. Gullick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-245 SO AS TO PROVIDE THAT LAW ENFORCEMENT OFFICIALS WITH APPROPRIATE JURISDICTION MAY NOT CHARGE A CIVIC CLUB WITH A STATEWIDE OR NATIONAL AFFILIATION, A CHURCH, OR A SCHOOL OR SCHOOL-SPONSORING ORGANIZATION CONDUCTING A RAFFLE FOR THE BENEFIT OF THE ORGANIZATION WITH A VIOLATION OF LAW, BUT INSTEAD SHALL INFORM THE ORGANIZATION THAT THE CONDUCT OF A RAFFLE VIOLATES STATE LAW, AND TO PROVIDE FOR CERTAIN CONDITIONS AND LIMITATIONS FOR THIS PROVISION TO APPLY.

Referred to Committee on Judiciary

S. 195 -- Senator McConnell: A BILL TO AMEND SECTION 50-21-870 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE WEARING OF PERSONAL FLOTATION DEVICES ON PERSONAL WATERCRAFTS, SO AS TO PROVIDE THAT A PERSON IS NOT REQUIRED TO WEAR A PERSONAL FLOTATION DEVICE IF THE PERSON IS IN POSSESSION OF A PERSONAL WATERCRAFT THAT IS LOCATED IN THREE FEET OF WATER OR LESS, AND IS ANCHORED, AND THE ENGINE IS NOT OPERATING.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

### **HOUSE RESOLUTION**

The following was introduced:

H. 3621 -- Reps. Agnew, Gambrell, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley,

[HJ]

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G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND DONALDS GRANGE NO. 497 FOR ITS CONTRIBUTIONS TO THE COMMUNITY OF DONALDS AND ABBEVILLE COUNTY, AND TO COMMEMORATE THE OCCASION OF THE STATE GRANGE ANNUAL MEETING IN DONALDS, AS WELL AS THE TRANSFER OF THE DONALDS GRANGE BUILDING AND REAL PROPERTY TO THE TOWN OF DONALDS AT THAT MEETING, ON SATURDAY, FEBRUARY 28, 2009.

The Resolution was adopted.

### **ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

Allen	Allison	Anthony
Bales	Ballentine	Bannister
Barfield	Battle	Bedingfield
Bingham	Bowen	Bowers
Brady	Branham	Brantley
G. A. Brown	R. L. Brown	Cato
Chalk	Clemmons	Clyburn
Cobb-Hunter	Cole	Cooper
Crawford	Daning	Delleney
Dillard	Duncan	Edge
Erickson	Forrester	Frye
Funderburk	Gambrell	Gilliard

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Gullick	Gunn	Haley
Hamilton	Hardwick	Harrison
Hart	Harvin	Hayes
Hearn	Herbkersman	Hiott
Hodges	Horne	Hosey
Huggins	Hutto	Jefferson
Jennings	Kelly	Kennedy
King	Knight	Littlejohn
Loftis	Long	Lucas
Mack	McEachern	Miller
Millwood	Mitchell	Moss
Nanney	J. M. Neal	Ott
Owens	Parker	Parks
E. H. Pitts	M. A. Pitts	Rutherford
Sandifer	Scott	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stavrinakis	Stewart	Stringer
Thompson	Toole	Umphlett
Weeks	Whipper	White
Whitmire	Williams	Willis
Wylie	T. R. Young	

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, February 26.

Paul Agnew	Terry Alexander
Carl Anderson	Boyd Brown
Robert Harrell	H.B. "Chip" Limehouse
Phillip Lowe	Walton McLeod
James Merrill	Lewis E. Pinson
Gary Simrill	James E. Smith
Thad Viers	Annette Young
Jerry Govan	Denny Neilson
Joseph Neal	Bakari Sellers
Leon Howard	

**Total Present--120**

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**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. KIRSH a leave of absence for the day, due to a death in the family.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. RICE a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. JENNINGS a leave of absence for the remainder of the day, to attend a meeting.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Coleman Floyd Buckhouse of Florence was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. MILLWOOD presented to the House the Landrum High School "Cardinals" Varsity Cross Country Team, the 2008 Class A Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. MILLWOOD presented to the House the Landrum High School "Lady Cardinals" Varsity Volleyball Team, the 2008 Class A Champions, their coaches and other school officials.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."



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**CO-SPONSORS ADDED**

Bill Number: H. 3509  
Date: ADD:  
02/26/09 LITTLEJOHN, J. R. SMITH, HIOTT and  
ERICKSON

**CO-SPONSOR ADDED**

Bill Number: H. 3037  
Date: ADD:  
02/26/09 CLEMMONS

**CO-SPONSOR ADDED**

Bill Number: H. 3042  
Date: ADD:  
02/26/09 WHIPPER

**CO-SPONSOR ADDED**

Bill Number: H. 3179  
Date: ADD:  
02/26/09 HUTTO

**CO-SPONSOR ADDED**

Bill Number: H. 3254  
Date: ADD:  
02/26/09 BRANHAM

**CO-SPONSOR ADDED**

Bill Number: H. 3265  
Date: ADD:  
02/26/09 CLEMMONS

**CO-SPONSORS ADDED**

Bill Number: H. 3270  
Date: ADD:  
02/26/09 WYLIE and WHIPPER

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**CO-SPONSORS ADDED**

Bill Number: H. 3305  
Date: ADD:  
02/26/09 SANDIFER, MILLWOOD, HALEY,  
BALLENTINE, M. A. PITTS, COOPER, WHITE,  
GAMBRELL, BOWEN and UMPHLETT

**CO-SPONSOR ADDED**

Bill Number: H. 3311  
Date: ADD:  
02/26/09 WYLIE

**CO-SPONSOR ADDED**

Bill Number: H. 3315  
Date: ADD:  
02/26/09 CLEMMONS

**CO-SPONSORS ADDED**

Bill Number: H. 3418  
Date: ADD:  
02/26/09 BINGHAM, UMPHLETT and SANDIFER

**CO-SPONSORS ADDED**

Bill Number: H. 3439  
Date: ADD:  
02/26/09 SANDIFER, DILLARD, GUNN, HART,  
MITCHELL, T. R. YOUNG, LONG, STRINGER,  
GULLICK, SCOTT and HUTTO

**CO-SPONSOR ADDED**

Bill Number: H. 3491  
Date: ADD:  
02/26/09 BRADY

**CO-SPONSOR ADDED**

Bill Number: H. 3525  
Date: ADD:  
02/26/09 CLEMMONS

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**CO-SPONSOR ADDED**

Bill Number: H. 3529  
Date: ADD:  
02/26/09 CLEMMONS

**CO-SPONSOR ADDED**

Bill Number: H. 3550  
Date: ADD:  
02/26/09 SOTTILE

**CO-SPONSOR ADDED**

Bill Number: H. 3418  
Date: ADD:  
02/26/09 EDGE

**CO-SPONSOR ADDED**

Bill Number: H. 3491  
Date: ADD:  
02/26/09 BANNISTER

**CO-SPONSOR ADDED**

Bill Number: H. 3042  
Date: ADD:  
02/26/09 BANNISTER

**CO-SPONSORS ADDED**

Bill Number: H. 3576  
Date: ADD:  
02/26/09 LOFTIS, FRYE, EDGE, CRAWFORD, CATO,  
LITTLEJOHN, MITCHELL, LOWE, SCOTT,  
DANING, BOWERS and HARRISON

**CO-SPONSOR ADDED**

Bill Number: H. 3488  
Date: ADD:  
02/26/09 HART

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**CO-SPONSOR ADDED**

Bill Number: H. 3586  
Date: ADD:  
02/26/09 HUTTO

**H. 3589--COMMITTED**

The following Bill was taken up:

H. 3589 -- Reps. White, Bowen, Thompson, Cooper and Gambrell:  
A BILL TO AMEND ACT 269 OF 1989, AS AMENDED,  
RELATING TO ANDERSON COUNTY SCHOOL DISTRICT  
BUDGETS AND TAX MILLAGES, SO AS TO PROVIDE THAT  
THE BUDGET THAT A SCHOOL DISTRICT IN ANDERSON  
COUNTY MUST PROVIDE TO THE ANDERSON COUNTY  
BOARD OF EDUCATION MUST INCLUDE AN ITEMIZED  
ACCOUNTING OF HOW OPERATING FUNDS OF THE DISTRICT  
ARE PROPOSED TO BE ALLOCATED, AND TO PROVIDE THAT  
THE BOARD MAY DELETE ITEMS OR SHIFT FUNDS AMONG  
BUDGET ITEMS OF DISTRICT BUDGETS.

Rep. THOMPSON moved to commit the Bill to the Anderson  
Delegation, which was agreed to.

**SENT TO THE SENATE**

The following Bills were taken up, read the third time, and ordered  
sent to the Senate:

H. 3343 -- Reps. Rutherford, Weeks and King: A BILL TO AMEND  
THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING  
SECTION 24-5-180 SO AS TO PROVIDE THAT THE  
ADMINISTRATOR OF A JAIL OR DETENTION CENTER SHALL  
PROVIDE AN ATTORNEY ACCESS TO HIS CLIENTS WHO ARE  
CONFINED IN THESE FACILITIES DURING THE PERIOD OF  
EIGHT O'CLOCK A.M. TO SIX O'CLOCK P.M.

H. 3080 -- Reps. J. E. Smith, Williams and Sellers: A BILL TO  
AMEND SECTION 56-1-180, CODE OF LAWS OF SOUTH  
CAROLINA, 1976, RELATING TO THE ISSUANCE OF A  
SPECIAL RESTRICTED DRIVER'S LICENSE TO CERTAIN  
MINORS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS  
TO PROVIDE THAT THE RESTRICTIONS CONTAINED IN THIS

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DRIVER'S LICENSE MAY BE MODIFIED OR WAIVED BY THE DEPARTMENT IF THE RESTRICTED LICENSEE PROVES THAT THE RESTRICTIONS INTERFERE WITH TRAVEL BETWEEN THE LICENSEE'S HOME AND RELIGIOUS SPONSORED EVENTS.

H. 3094 -- Reps. Littlejohn, Parker and Agnew: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4975 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE A VEHICLE THAT IS NO LONGER PERMITTED AND LICENSED AS AN AMBULANCE UNLESS THE VEHICLE'S EXTERIOR EQUIPMENT AND MARKINGS THAT DISTINGUISH IT AS AN AMBULANCE ARE REMOVED UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE A PENALTY.

H. 3175 -- Reps. G. R. Smith, G. M. Smith and Bedingfield: A BILL TO AMEND SECTION 59-40-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADMISSION TO A CHARTER SCHOOL, SO AS TO PROVIDE THAT ENROLLMENT PRIORITY MAY BE GIVEN TO A SIBLING OF A PUPIL ALREADY ENROLLED IN THE CHARTER SCHOOL WHO HAS ATTENDED THE SCHOOL FOR ONE YEAR OR MORE.

H. 3187 -- Reps. Chalk and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29-5-26 SO AS TO DEFINE THE TERM "LANDSCAPE SERVICE" AND TO PROVIDE THAT A PERSON WHO PROVIDES A LANDSCAPE SERVICE ON A PARCEL OR REAL ESTATE BY VIRTUE OF AN AGREEMENT WITH THE OWNER OF THE REAL ESTATE, AND TO WHOM A DEBT IS DUE FOR HIS PERFORMANCE OF THE LANDSCAPING SERVICE, HAS A MECHANICS' LIEN ON THE REAL ESTATE TO SECURE PAYMENT OF DEBT DUE TO HIM.

**H. 3123--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3123 -- Reps. J. E. Smith, H. B. Brown, McLeod, Horne, Weeks, Hutto and T. R. Young: A BILL TO AMEND SECTION 40-5-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

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THE PROHIBITION AGAINST ANY PERSON PRACTICING OR SOLICITING THE CAUSE OF ANOTHER PERSON IN A COURT OF THIS STATE UNLESS HE HAS BEEN ADMITTED AND SWORN AS AN ATTORNEY, SO AS TO PROVIDE THAT THE PERSON MUST BE ENROLLED AS A MEMBER OF THE SOUTH CAROLINA BAR IN ORDER TO PRACTICE LAW OR SOLICIT THE LEGAL CAUSE OF ANOTHER, AND TO PROVIDE THE PRACTICE OF LAW SHALL BE DEFINED BY THE SUPREME COURT PRIOR TO ANY CHARGE BEING FILED PURSUANT TO THIS SECTION.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\GJK\20129HTC09), which was adopted:

Amend the bill, as and if amended, by striking Section 40-5-310, as contained in SECTION 1, page 1, and inserting:

/ Section 40-5-310. No person may either practice law or solicit the legal cause of another person in a court of or entity in this State unless he has been admitted and sworn is enrolled as an attorney a member of the South Carolina Bar pursuant to applicable court rules, or otherwise authorized to perform prescribed legal activities by action of the Supreme Court of South Carolina. The specific conduct that is the subject of any charge filed pursuant to this section must have been defined as the unauthorized practice of law by decisions of the Supreme Court of South Carolina prior to any charge being filed. A person who violates this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both. /

Renumber sections to conform.

Amend title to conform.

Rep. HARRISON explained the amendment.

The amendment was then adopted.

The Bill, as amended, was read the second time and ordered to third reading.

### **H. 3123--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HARRISON, with unanimous consent, it was ordered that H. 3123 be read the third time tomorrow.

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SPEAKER IN CHAIR

H. 3565--INTERRUPTED DEBATE

The following Bill was taken up:

H. 3565 -- Reps. Clemmons, Horne and A. D. Young: A BILL TO AMEND SECTION 4-9-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY COUNCIL MEMBERS HOLDING OTHER OFFICES AND THE SALARY AND COMPENSATION OF COUNCIL MEMBERS, SO AS TO PROVIDE THAT AN ORDINANCE REDUCING THE SALARY OF A COUNCIL MEMBER IS EFFECTIVE ON THIRD READING OF THE ORDINANCE, UNLESS PROVIDED OTHERWISE.

Rep. CLEMMONS proposed the following Amendment No. 3 (COUNCIL\DKA\3199DW09):

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Section 5-7-170 of the 1976 Code is amended to read:

“Section 5-7-170. (A) The council may determine the annual salary of its members by ordinance; provided, that an ordinance establishing or increasing ~~such the~~ salaries ~~shall~~ must not become effective until the commencement date of the terms of two or more members elected at the next general election following the adoption of the ordinance. ~~At which that time it will become~~ becomes effective for all members whether or not they were elected in ~~such that~~ election.

(B) An ordinance reducing the salary of council is effective on the date the ordinance receives third reading, unless provided otherwise.

(C) The mayor and council members ~~may~~ also may receive payment for actual expenses incurred in the performance of their official duties within limitations prescribed by ordinance.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

Rep. MCLEOD moved to adjourn debate on the Bill.

Rep. CLEMMONS moved to table the motion.

[HJ]

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Rep. CLEMMONS demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 74; Nays 41

Those who voted in the affirmative are:

Agnew	Allison	Ballentine
Bannister	Barfield	Battle
Bedingfield	Bingham	Bowen
Brady	Cato	Chalk
Clemmons	Cole	Cooper
Crawford	Daning	Delleney
Duncan	Edge	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison
Hayes	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Knight	Limehouse
Littlejohn	Long	Lowe
Lucas	Merrill	Miller
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Scott
Simrill	Skelton	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Stewart
Stringer	Thompson	Toole
Umphlett	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

**Total--74**

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Bales	Bowers
Brantley	G. A. Brown	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Govan
Gunn	Hart	Harvin
Hodges	Hosey	Howard



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Hutto	Jefferson	Kennedy
King	Mack	McEachern
McLeod	Mitchell	Moss
J. H. Neal	J. M. Neal	Neilson
Ott	Parks	Rutherford
Sellers	J. E. Smith	Weeks
Whipper	Williams	

**Total--41**

So, the motion to adjourn debate was tabled.

The question then recurred to the adoption of the amendment.

Rep. BALES spoke against the amendment.

Further proceedings were interrupted by expiration of time on the uncontested Calendar, the pending question being adoption of the amendment.

**H. 3245--SENT TO THE SENATE**

The following Bill was taken up:

H. 3245 -- Reps. Delleney, Nanne, Simrill, G. R. Smith, G. M. Smith, Lucas, Cooper, Stringer, Parker, Allison, Pinson, Hamilton, Erickson, J. R. Smith, Clemmons, Bedingfield, E. H. Pitts, Owens, Rice, Hiott, Littlejohn, Stewart, Viers, Willis, Loftis, Toole, Wylie, Vick, Millwood, Haley, Duncan, Ballentine, Frye and Barfield: A BILL TO AMEND SECTION 44-41-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, AMONG OTHER THINGS, TO PREREQUISITES TO PERFORMING AN ABORTION, SO AS TO PROVIDE THAT IF AN ULTRASOUND IS PERFORMED, AN ABORTION MUST NOT BE PERFORMED SOONER THAN TWENTY-FOUR HOURS, RATHER THAN SIXTY MINUTES, FOLLOWING THE COMPLETION OF THE ULTRASOUND, TO REQUIRE THE WOMAN TO BE INFORMED OF THE PROCEDURE TO BE INVOLVED AND THE PROBABLE GESTATIONAL AGE OF THE EMBRYO OR FETUS, AND TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED SOONER THAN TWENTY-FOUR HOURS, RATHER THAN ONE

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HOUR, AFTER THE WOMAN RECEIVES CERTAIN WRITTEN MATERIALS.

Rep. DELLENEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 87; Nays 24

Those who voted in the affirmative are:

Agnew	Allison	Anthony
Ballentine	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Bowers	Brady
H. B. Brown	Cato	Chalk
Clemmons	Clyburn	Cole
Cooper	Crawford	Danang
Delleney	Duncan	Edge
Erickson	Forrester	Frye
Funderburk	Gambrell	Govan
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison
Hayes	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	McLeod	Merrill
Miller	Millwood	Moss
Nanney	J. M. Neal	Neilson
Ott	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Sandifer	Scott	Sellers
Simrill	Skelton	D. C. Smith
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Spires	Stewart
Stringer	Thompson	Toole
Umphlett	Viers	Weeks
White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

**Total--87**

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Those who voted in the negative are:

Allen	Bales	Branham
Brantley	G. A. Brown	R. L. Brown
Cobb-Hunter	Dillard	Gilliard
Hart	Hodges	Hosey
Howard	Hutto	Jefferson
Kennedy	King	Mack
McEachern	J. H. Neal	Parks
J. E. Smith	Whipper	Williams

**Total--24**

So, the Bill was read the third time and ordered sent to the Senate.

**H. 3342--SENT TO THE SENATE**

The following Bill was taken up:

H. 3342 -- Reps. Delleney, Simrill, Nanney, Allison, Clemmons, Erickson, Hamilton, Lucas, Owens, Parker, Pinson, Scott, G. R. Smith, J. R. Smith, Loftis, Duncan, Hiott, Bedingfield, Rice and Vick: A BILL TO AMEND SECTION 2-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONSTRUCTION OF THE WORDS "PERSON" AND "PARTY" AS THOSE WORDS APPEAR IN THE LAWS OF THIS STATE, SO AS TO PROVIDE FURTHER FOR THE CONSTRUCTION OF "PERSON", "HUMAN BEING", "CHILD", AND "INDIVIDUAL", SO THAT THEY INCLUDE EVERY INFANT MEMBER OF SPECIES HOMO SAPIENS WHO IS BORN ALIVE AND TO DEFINE "BORN ALIVE".

Rep. DELLENEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 100; Nays 8

Those who voted in the affirmative are:

Agnew	Allen	Allison
Anderson	Anthony	Bales
Ballentine	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Bowers	Brady
Branham	Brantley	G. A. Brown
H. B. Brown	Cato	Chalk

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Clemmons	Clyburn	Cole
Cooper	Crawford	Daning
Delleney	Edge	Erickson
Forrester	Funderburk	Gambrell
Govan	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hayes	Hearn
Hiott	Horne	Hosey
Huggins	Hutto	Jefferson
Kelly	Knight	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	McEachern
McLeod	Merrill	Miller
Millwood	Mitchell	Moss
Nanney	J. H. Neal	J. M. Neal
Neilson	Ott	Owens
Parker	Parks	Pinson
E. H. Pitts	M. A. Pitts	Sandifer
Scott	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. E. Smith	J. R. Smith	Sottile
Stavrinakis	Stewart	Stringer
Thompson	Toole	Umphlett
Viers	Weeks	Whipper
White	Whitmire	Williams
Willis	Wylie	A. D. Young
T. R. Young		

**Total--100**

Those who voted in the negative are:

Cobb-Hunter	Gilliard	Gunn
Hart	Harvin	Howard
Kennedy	Sellers	

**Total--8**

So, the Bill was read the third time and ordered sent to the Senate.

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**H. 3509--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3509 -- Reps. M. A. Pitts, Duncan, Thompson, Bowen, Toole, Stringer, Hamilton, Pinson, Bedingfield, G. R. Smith, Cooper, Crawford, Long, Lowe, Nanney, Owens, E. H. Pitts, Rice, Viers, White, Haley, Clemmons, Horne, Wylie, Huggins, Allison, Parker, A. D. Young, Millwood, Simrill, Willis, Herbkersman, Cato, Littlejohn, J. R. Smith, Hiott and Erickson: A CONCURRENT RESOLUTION TO AFFIRM THE RIGHTS OF ALL STATES INCLUDING SOUTH CAROLINA BASED ON THE PROVISIONS OF THE NINTH AND TENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 428--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 428 -- Senators L. Martin, Verdin, Bright, Alexander, Bryant and Rose: A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO MAKE PERMANENT THE E-VERIFY PROGRAM.

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. SELLERS.

**H. 3067--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3067 -- Reps. Clemmons, Brady, M. A. Pitts, Merrill, Wylie, Bingham, Viers, Harrell, Owens, Nanney and Bedingfield: A BILL TO AMEND SECTION 7-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT A CANDIDATE FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT A CANDIDATE FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION;

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AND TO AMEND SECTION 7-13-320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT A CANDIDATE'S NAME FROM APPEARING ON THE BALLOT MORE THAN ONCE.

Rep. CLEMMONS moved to adjourn debate on the Bill, which was agreed to.

**H. 3170--AMENDED AND ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 3170 -- Reps. Gunn, Wylie, Hart, Loftis, R. L. Brown, Whipper and King: A JOINT RESOLUTION TO CREATE THE JOINT ELECTRONIC HEALTH INFORMATION STUDY COMMITTEE TO EXAMINE THE FEASIBILITY OF INCREASING THE USE OF HEALTH INFORMATION TECHNOLOGY AND ELECTRONIC PERSONAL HEALTH RECORDS, TO PROVIDE FOR THE STUDY COMMITTEE'S MEMBERSHIP, AND TO REQUIRE THE STUDY COMMITTEE TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY BEFORE JANUARY 1, 2010, AT WHICH TIME THE STUDY COMMITTEE IS ABOLISHED.

The Medical, Military, Public and Municipal Affairs Committee proposed the following Amendment No. 1 (COUNCIL\BBM\9156ZW09), which was tabled:

Amend the joint resolution, as and if amended, SECTION 1(B)(1) to read:

/ (1)~~six~~seven members appointed by the Governor that must include a physician, a hospital administrator, a pharmacist, a consumer representative, a representative of the health insurance industry, a representative from the information technology sector with expertise in electronic privacy issues, and a member of the public at-large; /

Amend the joint resolution further, SECTION 1(F) to read:

/ (F) The members of the committee may not receive compensation, ~~but~~ are not entitled to receive mileage, subsistence, and per diem authorized by law for members of state boards, committees, ~~and commissions payable from approved accounts of the Senate and the House of Representatives.~~ /

Renumber sections to conform.

Amend title to conform.

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Rep. GUNN moved to table the amendment, which was agreed to.

Rep. GUNN proposed the following Amendment No. 2 (HOUSE\7228ZW09KRL), which was adopted:

Amend the joint resolution, as and if amended, by deleting subsection (B)(1), as contained in SECTION 1, and inserting:

/ (1) seven members appointed by the Governor that must include a physician, a hospital administrator, a pharmacist, a consumer representative, a representative of the health insurance industry, a representative from the information technology sector with expertise in electronic privacy issues, and a member of the public at-large; /

Amend the joint resolution further by deleting subsection (F), as contained in SECTION 1, and inserting:

/ (F) The members of the committee may not receive compensation and are not entitled to receive mileage, subsistence, and per diem authorized by law for members of state boards, committees. /

Renumber sections to conform.

Amend title to conform.

Rep. GUNN explained the amendment.

Rep. MACK spoke in favor of the amendment.

Rep. G. R. SMITH spoke against the amendment.

Rep. LOFTIS spoke in favor of the amendment.

The amendment was then adopted.

Rep. AGNEW proposed the following Amendment No. 3 (HOUSE\7229ZW09KRL), which was adopted:

Amend the joint resolution, as and if amended, by deleting subsection (B)(1), as contained in SECTION 1, and inserting:

/ (1) Nine members appointed by the Governor that must include a physician, a hospital administrator, a pharmacist, a consumer representative, a representative of the health insurance industry, a representative from the information technology sector with expertise in electronic privacy issues, a representative of the South Carolina Emergency Medical Services Association, and a member of the public at-large; /

Renumber sections to conform.

Amend title to conform.

Rep. AGNEW explained the amendment.

The amendment was then adopted.

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Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 100; Nays 13

Those who voted in the affirmative are:

Agnew	Alexander	Allen
Anderson	Anthony	Ballentine
Bannister	Barfield	Battle
Bingham	Bowen	Bowers
Brady	Branham	Brantley
G. A. Brown	H. B. Brown	R. L. Brown
Cato	Chalk	Clemmons
Clyburn	Cobb-Hunter	Cole
Cooper	Daning	Delleney
Dillard	Duncan	Edge
Erickson	Forrester	Funderburk
Gambrell	Gilliard	Govan
Gunn	Haley	Hardwick
Harrell	Harrison	Hart
Harvin	Hayes	Hearn
Herbkersman	Hiott	Hodges
Horne	Hosey	Howard
Huggins	Hutto	Jefferson
Kennedy	King	Knight
Limehouse	Loftis	Long
Lowe	Lucas	Mack
McLeod	Merrill	Miller
Mitchell	Moss	J. H. Neal
J. M. Neal	Neilson	Ott
Owens	Parks	Pinson
E. H. Pitts	M. A. Pitts	Rutherford
Sandifer	Scott	Sellers
Simrill	Skelton	J. E. Smith
J. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Thompson
Toole	Umphlett	Viers
Weeks	Whipper	White
Whitmire	Williams	Willis
Wylie		

**Total--100**



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Those who voted in the negative are:

Allison	Bedingfield	Gullick
Hamilton	Kelly	Littlejohn
Millwood	Nanney	Parker
G. M. Smith	G. R. Smith	Stewart
T. R. Young		

**Total--13**

So, the Joint Resolution, as amended, was read the second time and ordered to third reading.

**H. 3170--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. GUNN, with unanimous consent, it was ordered that H. 3170 be read the third time tomorrow.

**H. 3418--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3418 -- Reps. Harrell, Simrill, Crawford, Huggins, Bedingfield, Merrill, G. R. Smith, Erickson, Ballentine, Brady, Chalk, Daning, Delleney, Frye, Gambrell, Hamilton, Harrison, Hearn, Herbkersman, Loftis, Long, Lucas, Nanney, Pinson, Rice, G. M. Smith, Spires, Stringer, Thompson, Viers, Willis, Wylie, T. R. Young, Clemmons, Owens, Parker, Toole, M. A. Pitts, Lowe, Bingham, Umphlett, Sandifer and Edge: A BILL TO AMEND SECTION 7-13-710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PRESENTATION OF A PERSON'S PROOF OF HIS RIGHT TO VOTE, SO AS TO REQUIRE THE ELECTOR TO PRODUCE A VALID PHOTO IDENTIFICATION CARD AT THE TIME OF COSTING HIS BALLOT, TO REQUIRE A POLL MANAGER TO COMPARE THE PHOTOGRAPH ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\DKA\3166DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

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/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid South Carolina driver’s license, ~~or~~ other form of identification containing a photograph issued by the Department of Motor Vehicles, ~~if he is not licensed to drive, or the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector~~ or a passport or military identification issued by the federal government. If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. One of the managers also shall compare the photograph contained on the required identification with the person presenting himself to vote. The manager shall verify that the photograph is that of the person seeking to vote. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid South Carolina driver’s license or other form of identification containing a photograph issued by the Department of Motor Vehicles or a passport or military identification issued by the federal government as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid photo identification to the board of voter registration within ten days after the election.”

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

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“Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o’clock in the afternoon~~ of ten days from the date of the general election, after noon on that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers.”

SECTION 3. Section 7-17-220 of the 1976 Code, as last amended by Act 276 of 1992, is further amended to read:

“Section 7-17-220. Unless otherwise provided in Section 7-3-10(c), the Board of State Canvassers shall meet at the office of the Election Commission ~~within ten days after any general election~~ no more than five days after the commissioners of election meet pursuant to Section 7-17-10 for the purpose of canvassing the vote for all officers voted for at such election, including the vote for the electors for President and Vice-President, and for the purpose of canvassing the vote on all Constitutional Amendments and questions and other issues.”

SECTION 4. Section 56-1-3350 of the 1976 Code, as last amended by Act 176 of 2005, is further amended to read:

“Section 56-1-3350. (A) Upon application by ~~any~~ a person five years of age or older who is a resident of South Carolina, the Department of Motor Vehicles shall issue a special identification card, at no charge, as long as:

(1) the application is made on a form approved and furnished by the department; and

(2) the applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth.

~~The fee for the issuance of the special identification card is five dollars, and the identification card expires five years from the date of~~

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~~issuance. The renewal fee is also five dollars. Issuance and renewal fees are waived for indigent persons who are mentally ill, mentally retarded, homeless, or who are on public assistance as the sole source of income. As used in this section "indigent" means a person who is qualified for legal assistance which is paid for with public funds. For purposes of this section, a homeless person is an individual who lacks a fixed and regular nighttime residence or an individual who has a primary nighttime residence that is:~~

~~(a) a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including congregated shelters and transitional housing;~~

~~(b) an institution that provides a temporary residence for individuals intended to be institutionalized; or~~

~~(c) a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.~~

~~The term does not include any individual imprisoned or otherwise detained pursuant to an act of Congress. Annually, the director of a facility which provides care or shelter to homeless persons must certify this fact to the department. The department must maintain a list of facilities which are approved by the department, and only letters from the directors of these approved facilities are considered to comply with the provisions of this section. To have the issuance or renewal fee waived for an identification card, a homeless person must present a letter to the department from the director of a facility that provides care or shelter to homeless persons certifying that the person named in the letter is homeless. The letter may not be older than thirty days.~~

~~(B) Special identification cards issued to persons under the age of twenty-one must be marked, stamped, or printed to readily indicate that the person to whom the card is issued is under the age of twenty-one.~~

~~The fees collected pursuant to this section must be credited to the Department of Transportation State Non-Federal Aid Highway Fund as provided in the following schedule based on the actual date of receipt by the Department of Motor Vehicles:~~

<del>Fees and Penalties</del>	<del>General Fund</del>	<del>Department of</del>
<del>Collected After</del>	<del>of the State</del>	<del>Transportation</del>
	<del>State Non-Federal Aid</del>	
	<del>Highway Fund</del>	
<del>June 30, 2005</del>	<del>60 percent</del>	<del>40 percent</del>
<del>June 30, 2006</del>	<del>20 percent</del>	<del>80 percent</del>
<del>June 30, 2007</del>	<del>0 percent</del>	<del>100 percent."</del>

~~SECTION 5. This act takes effect January 1, 2010. /~~

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Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS moved to table the amendment, which was agreed to.

Rep. CLEMMONS proposed the following Amendment No. 2 (COUNCIL\MS\7239AHB09), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid South Carolina driver’s license, ~~or~~ other form of identification containing a photograph issued by the Department of Motor Vehicles, ~~if he is not licensed to drive, or the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector or a~~ passport or military identification issued by the federal government. If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. One of the managers also shall compare the photograph contained on the required identification with the person presenting himself to vote. The manager shall verify that the photograph is that of the person seeking to vote. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter

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is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid South Carolina driver's license or other form of identification containing a photograph issued by the Department of Motor Vehicles or a passport or military identification issued by the federal government as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid photo identification to the board of voter registration prior to certification by the county board of canvassers."

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

"Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o'clock in the afternoon~~ of ten days from the date of the general election, after noon on that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers."

SECTION 3. Section 7-17-220 of the 1976 Code, as last amended by Act 276 of 1992, is further amended to read:

"Section 7-17-220. Unless otherwise provided in Section 7-3-10(c), the Board of State Canvassers shall meet at the office of the Election Commission ~~within ten days after any general election~~ no more than five days after the commissioners of election meet pursuant to Section 7-17-10 for the purpose of canvassing the vote for all officers voted for at such election, including the vote for the electors for President and Vice-President, and for the purpose of canvassing the vote on all Constitutional Amendments and questions and other issues."

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SECTION 4. Section 56-1-3350 of the 1976 Code, as last amended by Act 176 of 2005, is further amended to read:

“Section 56-1-3350. (A) Upon application by ~~any~~ a person five years of age or older who is a resident of South Carolina, the Department of Motor Vehicles shall issue a special identification card, at no charge, as long as:

(1) the application is made on a form approved and furnished by the department; and

(2) the applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth.

~~The fee for the issuance of the special identification card is five dollars, and the identification card expires five years from the date of issuance. The renewal fee is also five dollars. Issuance and renewal fees are waived for indigent persons who are mentally ill, mentally retarded, homeless, or who are on public assistance as the sole source of income. As used in this section “indigent” means a person who is qualified for legal assistance which is paid for with public funds. For purposes of this section, a homeless person is an individual who lacks a fixed and regular nighttime residence or an individual who has a primary nighttime residence that is:~~

~~(a) a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including congregated shelters and transitional housing;~~

~~(b) an institution that provides a temporary residence for individuals intended to be institutionalized; or~~

~~(c) a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.~~

~~The term does not include any individual imprisoned or otherwise detained pursuant to an act of Congress. Annually, the director of a facility which provides care or shelter to homeless persons must certify this fact to the department. The department must maintain a list of facilities which are approved by the department, and only letters from the directors of these approved facilities are considered to comply with the provisions of this section. To have the issuance or renewal fee waived for an identification card, a homeless person must present a letter to the department from the director of a facility that provides care or shelter to homeless persons certifying that the person named in the letter is homeless. The letter may not be older than thirty days.~~

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(B) Special identification cards issued to persons under the age of twenty-one must be marked, stamped, or printed to readily indicate that the person to whom the card is issued is under the age of twenty-one.

~~The fees collected pursuant to this section must be credited to the Department of Transportation State Non Federal Aid Highway Fund as provided in the following schedule based on the actual date of receipt by the Department of Motor Vehicles:~~

<del>Fees and Penalties</del>	<del>General Fund</del>	<del>Department of</del>
<del>Collected After</del>	<del>of the State</del>	<del>Transportation</del>
	<del>State Non Federal Aid</del>	<del>Highway Fund</del>
June 30, 2005	60 percent	40 percent
June 30, 2006	20 percent	80 percent
June 30, 2007	0 percent	100 percent."

SECTION 5. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

#### **POINT OF ORDER**

Rep. J. E. SMITH raised the Point of Order that the Bill was out of order under Rule 5.13 in that a fiscal impact statement was required to be attached to the Bill.

SPEAKER HARRELL stated that the Bill had a fiscal impact statement attached and he overruled the Point of Order.

#### **LEAVE OF ABSENCE**

The SPEAKER granted Rep. DUNCAN a temporary leave of absence, due to business reasons.

Rep. CLEMMONS continued speaking.

Rep. SELLERS moved to divide the question.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 49; Nays 66



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Those who voted in the affirmative are:

Agnew	Alexander	Allen
Anderson	Anthony	Bales
Battle	Bowers	Branham
Brantley	G. A. Brown	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Gilliard
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	Kennedy	King
Knight	Mack	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parks
Rutherford	Sellers	J. E. Smith
Stavrinakis	Weeks	Whipper
Williams		

**Total--49**

Those who voted in the negative are:

Ballentine	Bannister	Barfield
Bedingfield	Bingham	Bowen
Brady	Cato	Chalk
Clemmons	Cole	Cooper
Crawford	Daning	Edge
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Merrill	Millwood
Nanney	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Sandifer	Scott	Simrill
Skelton	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stewart	Stringer	Thompson

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Toole	Umphlett	Viers
White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

**Total--66**

So, the House refused to divide the question.

Rep. SELLERS spoke against the amendment.

**POINT OF ORDER**

Rep. STAVRINAKIS raised the Point of Order that Amendment No. 2 was out of order under Rule 9.5 in that amendments should be taken up in the order in which they are received. He stated that Amendment No. 2 was a substitute amendment and was not the same version that had been originally presented to the desk.

SPEAKER HARRELL stated that Amendment No. 2 was not a substitute amendment and Amendment No. 2 had been taken up in the order in which the desk had received it. He overruled the Point of Order.

Rep. SELLERS moved to commit the Bill to the Committee on Ways and Means.

Rep. LIMEHOUSE moved to table the motion.

Rep. SELLERS demanded the yeas and nays which were taken, resulting as follows:

Yeas 64; Nays 46

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Brady	Cato	Chalk
Clemmons	Cole	Cooper
Crawford	Daning	Edge
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrison
Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly

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Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Sandifer
Scott	Simrill	Skelton
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Spires	Stringer
Thompson	Toole	Umphlett
Viers	White	Whitmire
Willis	Wylie	A. D. Young
T. R. Young		

**Total--64**

Those who voted in the negative are:

Agnew	Allen	Anthony
Bales	Battle	Bowers
Branham	Brantley	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Gilliard
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	Kennedy	King
Knight	Mack	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parks
Rutherford	Sellers	J. E. Smith
Stavrinakis	Weeks	Whipper
Williams		

**Total--46**

So, the motion to commit the Bill was tabled.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. SPIRES a leave of absence for the remainder of the day.

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Rep. HART spoke against the amendment.

Rep. HART spoke against the amendment.

Rep. VIERS moved cloture on the entire matter.

Rep. BINGHAM demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 62; Nays 48

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bedingfield	Bingham	Brady
Cato	Chalk	Clemmons
Cole	Cooper	Crawford
Daning	Edge	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison
Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Sandifer
Scott	Simrill	Skelton
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Stringer	Toole
Umphlett	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

**Total--62**

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Anthony	Bales
Ballentine	Battle	Bowers
Branham	Brantley	H. B. Brown
Clyburn	Cobb-Hunter	Dillard
Funderburk	Gilliard	Govan

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Gunn	Hart	Harvin
Hayes	Hodges	Hosey
Howard	Hutto	Jefferson
Kennedy	King	Knight
Mack	McEachern	McLeod
Miller	Moss	J. H. Neal
J. M. Neal	Neilson	Ott
Parks	Rutherford	Sellers
J. E. Smith	Stavrinakis	Thompson
Weeks	Whipper	Williams

**Total--48**

So, cloture was ordered.

Rep. HART moved to adjourn debate on the Bill.

Rep. BINGHAM demanded the yeas and nays which were taken, resulting as follows:

Yeas 46; Nays 64

Those who voted in the affirmative are:

Alexander	Allen	Anderson
Anthony	Bales	Battle
Branham	Brantley	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Gilliard
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	Kennedy	King
Knight	Mack	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parks
Rutherford	Sellers	J. E. Smith
Stavrinakis	Weeks	Whipper
Williams		

**Total--46**

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Those who voted in the negative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Harrison	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Millwood
Nanney	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Sandifer	Scott	Simrill
Skelton	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Stringer
Thompson	Toole	Umphlett
Viers	White	Whitmire
Willis	Wylie	A. D. Young
T. R. Young		

**Total--64**

So, the House refused to adjourn debate.

Rep. WEEKS moved to table the Bill.

Rep. A. D. YOUNG demanded the yeas and nays which were taken, resulting as follows:

Yeas 46; Nays 65

Those who voted in the affirmative are:

Alexander	Allen	Anderson
Anthony	Bales	Battle
Branham	Brantley	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Gilliard
Govan	Gunn	Hart

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Harvin	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	Kennedy	King
Knight	Mack	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parks
Rutherford	Sellers	J. E. Smith
Stavrinakis	Weeks	Whipper
Williams		

**Total--46**

Those who voted in the negative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Harrison	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Merrill
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Scott
Simrill	Skelton	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Stringer	Thompson	Toole
Umphlett	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

**Total--65**

So, the House refused to table the Bill.

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Rep. J. E. SMITH moved to continue the Bill.

Rep. A. D. YOUNG demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 40; Nays 64

Those who voted in the affirmative are:

Alexander	Allen	Anderson
Bales	Battle	Branham
Brantley	H. B. Brown	R. L. Brown
Clyburn	Dillard	Funderburk
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Hutto	Jefferson
Kennedy	King	Knight
Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Ott
Parks	Rutherford	Sellers
J. E. Smith	Stavrinakis	Weeks
Williams		

**Total--40**

Those who voted in the negative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Harrison	Hearn
Herbkersman	Hiott	Huggins
Kelly	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Merrill	Millwood
Nanney	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Sandifer	Scott	Simrill



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Skelton	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Stringer
Thompson	Toole	Umphlett
Viers	White	Whitmire
Willis	Wylie	A. D. Young
T. R. Young		

**Total--64**

So, the House refused to continue the Bill.

Rep. HART moved that the House recede subject to the call of the chair.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 36; Nays 65

Those who voted in the affirmative are:

Alexander	Allen	Battle
Branham	Brantley	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Gilliard
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Hutto	Jefferson
King	Mack	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Ott	Sellers	J. E. Smith
Stavrinakis	Weeks	Williams

**Total--36**

Those who voted in the negative are:

Allison	Anderson	Ballentine
Bannister	Barfield	Bedingfield
Bingham	Bowen	Brady
Cato	Chalk	Clemmons
Cole	Cooper	Crawford
Daning	Edge	Erickson

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Forrester	Frye	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison
Hearn	Herbkersman	Hiott
Horne	Howard	Huggins
Kelly	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Merrill	Millwood
Owens	Parker	Parks
Pinson	E. H. Pitts	M. A. Pitts
Sandifer	Simrill	Skelton
G. R. Smith	J. R. Smith	Sottile
Stringer	Thompson	Toole
Umphlett	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

**Total--65**

So, the House refused to recede subject to the call of the chair.

Rep. HART moved that the House do now adjourn.

Rep. BINGHAM demanded the yeas and nays which were taken, resulting as follows:

Yeas 38; Nays 65

Those who voted in the affirmative are:

Alexander	Allen	Anderson
Anthony	Branham	Brantley
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Harvin	Hayes
Hodges	Hosey	Howard
Hutto	Jefferson	Kennedy
King	Mack	McEachern
McLeod	Mitchell	Moss
J. H. Neal	J. M. Neal	Ott

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Parks	Rutherford	Sellers
Weeks	Williams	

**Total--38**

Those who voted in the negative are:

Allison	Ballentine	Bannister
Battle	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Merrill	Miller
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Scott
Simrill	Skelton	G. R. Smith
J. R. Smith	Sottile	Stavrinakis
Stringer	Thompson	Toole
Umphlett	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

**Total--65**

So, the House refused to adjourn.

Rep. OTT spoke against the amendment.

Rep. CLEMMONS spoke in favor of the amendment.

The question then recurred to the adoption of the amendment.

Rep. WEEKS demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 61; Nays 44

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Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Kelly
Limehouse	Loftis	Long
Lowe	Lucas	Merrill
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Scott
Simrill	Skelton	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Stringer	Thompson	Toole
Umphlett	White	Whitmire
Willis	Wylie	A. D. Young
T. R. Young		

**Total--61**

Those who voted in the negative are:

Alexander	Allen	Anderson
Battle	Branham	Brantley
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Harvin	Hayes
Hodges	Hosey	Howard
Hutto	Jefferson	Kennedy
King	Knight	Mack
McEachern	McLeod	Miller
Mitchell	Moss	J. H. Neal
J. M. Neal	Neilson	Ott
Parks	Rutherford	Sellers

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J. E. Smith  
Weeks

Stavrinakis  
Williams

Viers

**Total--44**

So, the amendment was adopted.

**RECORD FOR VOTING**

I inadvertently voted against Amendment No. 2 to H. 3418. I intended to vote in favor of the Amendment.

Rep. Thad Viers

Reps. WEEKS, MCLEOD and MILLER proposed the following Amendment No. 3 (COUNCIL\DKA\3209DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid South Carolina driver's license, whether expired or not, valid identification card issued by the State of South Carolina or the federal government, voter identification card issued by the State of South Carolina or by the county in which the person is registered to vote, valid United States passport, valid employee identification card containing a photograph issued by any brand, department, agency, or entity of the United States government, the State of South Carolina, or any county, municipality, board, authority or other entity of the state if he is not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector. If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter's oath

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appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter's driver's license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid South Carolina driver's license, whether expired or not, valid identification card issued by the State of South Carolina or the federal government, voter identification card issued by the State of South Carolina or by the county in which the person is registered to vote, valid United States passport, valid employee identification card containing a photograph issued by any brand, department, agency, or entity of the United States government, the State of South Carolina, or any county, municipality, board, authority or other entity of the state as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid identification to the board of voter registration within ten days after the election."

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

"Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o'clock in the afternoon of ten days from the date of the general election, after noon on~~ that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers."

SECTION 3. This act takes effect January 1, 2010. /

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Renumber sections to conform.

Amend title to conform.

Rep. MCLEOD spoke in favor of the amendment.

Rep. CLEMMONS spoke against the amendment and moved to table the amendment.

Rep. MILLER demanded the yeas and nays which were taken, resulting as follows:

Yeas 63; Nays 43

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Sandifer
Scott	Simrill	Skelton
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Stringer	Thompson
Toole	Umphlett	Viers
White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

**Total--63**

Those who voted in the negative are:

Alexander	Allen	Anderson
Battle	Brantley	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter

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Dillard	Funderburk	Gilliard
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Hutto	Jefferson
Kennedy	King	Knight
Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Neilson
Ott	Parks	Rutherford
Sellers	J. E. Smith	Stavrinakis
Vick	Weeks	Whipper
Williams		

**Total--43**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 4 (COUNCIL\DKA\3175DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid South Carolina driver’s license, identification card that contains a photograph of the person issued by the State of South Carolina, identification card issued by any state, identification card the contains a photograph of the person issued by the federal government, tribal enrollment card or other form of tribal identification card, tribal census card, South Carolina vehicle registration, South Carolina vehicle insurance card, South Carolina property tax statement, utility bill dated within ninety days of the election, or bank or credit union statement dated within ninety days of the election ~~if he is not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector.~~ If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or



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copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed 'Names of Voters'. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter's oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter's driver's license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid South Carolina driver's license, identification card that contains a photograph of the person issued by the State of South Carolina, identification card issued by any state, identification card the contains a photograph of the person issued by the federal government, tribal enrollment card or other form of tribal identification card, tribal census card, South Carolina vehicle registration, South Carolina vehicle insurance card, South Carolina property tax statement, utility bill dated within ninety days of the election, or bank or credit union statement dated within ninety days of the election as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid identification to the board of voter registration within ten days after the election."

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

"Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o'clock in the afternoon of ten days from the date of the general election, after noon on that day,~~ and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the

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same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers.”

SECTION 3. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. CLEMMONS spoke against the amendment and moved to table the amendment.

Rep. WEEKS demanded the yeas and nays which were taken, resulting as follows:

Yeas 59; Nays 43

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson
E. H. Pitts	Sandifer	Scott
Simrill	Skelton	G. R. Smith
J. R. Smith	Sottile	Stringer
Toole	Umphlett	Viers

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White	Willis	Wylie
A. D. Young	T. R. Young	

**Total--59**

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Anthony	Battle
Bowers	Brantley	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Gilliard
Govan	Harvin	Hodges
Hosey	Hutto	Jefferson
Kennedy	King	Knight
Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Ott
Parks	Rutherford	Sellers
J. E. Smith	Stavrinakis	Thompson
Vick	Weeks	Whipper
Williams		

**Total--43**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 5 (COUNCIL\DKA\3176DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid South Carolina driver’s license, identification card that contains a photograph of the person issued by any state, identification card the contains a photograph of the person issued by the federal government, United States passport, United States military identification card that contains a photograph of the person, South Carolina hunting license, birth certificate, social security card, voter registration card, employee identification card that contains a photograph of the person, student identification card that contains a

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photograph of the person, utility bill, bank statement, or government-issued check, paycheck, or other government document that indicates the name and address of the person if he is not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector. If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed 'Names of Voters'. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter's oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter's driver's license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid South Carolina driver's license, identification card that contains a photograph of the person issued by any state, identification card the contains a photograph of the person issued by the federal government, United States passport, United States military identification card that contains a photograph of the person, South Carolina hunting license, birth certificate, social security card, voter registration card, employee identification card that contains a photograph of the person, student identification card that contains a photograph of the person, utility bill, bank statement, or government-issued check, paycheck, or other government document that indicates the name and address of the person as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid identification to the board of voter registration within ten days after the election."

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

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“Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o’clock in the afternoon of ten days from the date of the general election, after noon on~~ that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers.”

SECTION 3. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 62; Nays 37

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Merrill

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Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Scott
Simrill	Skelton	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Stringer	Thompson	Toole
Umphlett	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

**Total--62**

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Battle	Bowers
Brantley	H. B. Brown	R. L. Brown
Clyburn	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Harvin	Hayes
Hodges	Hosey	Hutto
Jefferson	King	Mack
McEachern	McLeod	Miller
Moss	J. M. Neal	Ott
Rutherford	Sellers	J. E. Smith
Vick	Weeks	Whipper
Williams		

**Total--37**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 6 (COUNCIL\DKA\3177DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid South Carolina driver’s license; identification card issued by the South Carolina Department of Revenue; United States military identification card that contains a

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photograph of the person; pilot's license issued by the Federal Aviation Administration; employee identification card issued by the United States government, the State of South Carolina, or a political subdivision of the State of South Carolina; Medicare or Medicaid card; certified copy of the person's birth certificate; or certified documentation of naturalization if he is not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector. If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed 'Names of Voters'. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter's oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter's driver's license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid South Carolina driver's license; identification card issued by the South Carolina Department of Revenue; United States military identification card that contains a photograph of the person; pilot's license issued by the Federal Aviation Administration; employee identification card issued by the United States government, the State of South Carolina, or a political subdivision of the State of South Carolina; Medicare or Medicaid card; certified copy of the person's birth certificate; or certified documentation of naturalization as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid identification to the board of voter registration within ten days after the election."

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SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

“Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o’clock in the afternoon of ten days~~ from the date of the general election, after noon on that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers.”

SECTION 3. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. WEEKS demanded the yeas and nays which were taken, resulting as follows:

Yeas 66; Nays 40

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Dillard	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Harrison	Hearn
Herbkersman	Hiott	Horne



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Huggins	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Merrill
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Scott
Simrill	Skelton	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Stringer	Thompson	Toole
Umphlett	Viers	Whipper
White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

**Total--66**

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Battle	Bowers
Branham	Brantley	H. B. Brown
R. L. Brown	Clyburn	Funderburk
Gilliard	Govan	Gunn
Hart	Harvin	Hayes
Hodges	Hosey	Hutto
Jefferson	Kennedy	King
Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Ott
Parks	Rutherford	Sellers
J. E. Smith	Vick	Weeks
Williams		

**Total--40**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 7 (COUNCIL\DKA\3178DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

[HJ]

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“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce his a valid South Carolina driver's license, identification card issued by the State of South Carolina, United States passport, United States military identification card that contains a photograph of the person, employee identification card, buyer's club identification, debit or credit card, student identification card, retirement center identification card, neighborhood association identification card, entertainment identification card, or public assistance identification card ~~if he is not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector.~~ If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed 'Names of Voters'. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter's oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter's driver's license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid South Carolina driver's license, identification card issued by the State of South Carolina, United States passport, United States military identification card that contains a photograph of the person, employee identification card, buyer's club identification, debit or credit card, student identification card, retirement center identification card, neighborhood association identification card, entertainment identification card, or public assistance identification card as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a

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valid identification to the board of voter registration within ten days after the election.”

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

“Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o’clock in the afternoon of ten days from the date of the general election, after noon on~~ that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers.”

SECTION 3. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. WEEKS demanded the yeas and nays which were taken, resulting as follows:

Yeas 62; Nays 37

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell

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Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Littlejohn
Long	Lowe	Lucas
Millwood	Nanney	Owens
Parker	E. H. Pitts	M. A. Pitts
Sandifer	Scott	Simrill
Skelton	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Stringer
Thompson	Toole	Umphlett
Viers	Whipper	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

**Total--62**

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Bales	Battle
Bowers	Branham	H. B. Brown
Clyburn	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Harvin	Hayes
Hodges	Hosey	Hutto
Jefferson	King	Mack
McEachern	McLeod	Miller
Mitchell	Moss	J. H. Neal
Ott	Rutherford	Sellers
J. E. Smith	Vick	Weeks
Williams		

**Total--37**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 8 (COUNCIL\DKA\3179DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

[HJ]

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“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid South Carolina driver’s license, identification card issued by the State of South Carolina, driver’s license or identification card issued by any other state, identification card issued by the federal government, United States passport, United States military identification card that contains a photograph of the person, student identification card from a high school or accredited institution of higher education, or tribal identification card that contains a photograph if he is ~~not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector.~~ If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid South Carolina driver’s license, identification card issued by the State of South Carolina, driver’s license or identification card issued by any other state, identification card issued by the federal government, United States passport, United States military identification card that contains a photograph of the person, student identification card from a high school or accredited institution of higher education, or tribal identification card that contains a photograph as required in subsection (A), the elector may cast a provisional ballot that is counted only if the

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elector brings a valid identification to the board of voter registration within ten days after the election.”

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

“Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o’clock in the afternoon of ten days from the date of the general election, after noon on~~ that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers.”

SECTION 3. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. KENNEDY spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. WEEKS demanded the yeas and nays which were taken, resulting as follows:

Yeas 60; Nays 39

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell

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Harrison	Herbkersman	Hiott
Horne	Huggins	Kelly
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
Sandifer	Scott	Simrill
Skelton	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Stringer
Thompson	Toole	Umphlett
Viers	White	Willis
Wylie	A. D. Young	T. R. Young

**Total--60**

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Bales	Battle
Bowers	Branham	Brantley
H. B. Brown	R. L. Brown	Dillard
Funderburk	Gilliard	Govan
Gunn	Hart	Harvin
Hayes	Hodges	Hosey
Hutto	Jefferson	Kennedy
King	Mack	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	Rutherford
Sellers	J. E. Smith	Vick
Weeks	Whipper	Williams

**Total--39**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 9 (COUNCIL\DKA\3180DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

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“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid identification card issued by the State of South Carolina, an agency of the state, or a local election authority of the state; identification card issued by the federal government or agency thereof; identification card issued by an institution of higher education located within the State of South Carolina; copy of a current utility bill, bank statement, paycheck, government-issued check, or other government document that contains the name and address of the person; a South Carolina driver’s license; or an identification card issued by any other state ~~if he is not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector.~~ If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid identification card issued by the State of South Carolina, an agency of the state, or a local election authority of the state; identification card issued by the federal government or agency thereof; identification card issued by an institution of higher education located within the State of South Carolina; copy of a current utility bill, bank statement, paycheck, government-issued check, or other government document that contains the name and address of the person; a South Carolina driver’s license; or an identification card issued by any other state as required in



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subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid identification to the board of voter registration within ten days after the election.”

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

“Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o’clock in the afternoon of ten days from the date of the general election, after noon on~~ that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers.”

SECTION 3. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. KENNEDY spoke in favor of the amendment.

Rep. HART spoke against the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. WEEKS demanded the yeas and nays which were taken, resulting as follows:

Yeas 58; Nays 37

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bingham	Bowen
Brady	Cato	Clemmons
Cole	Cooper	Crawford
Daning	Erickson	Forrester
Frye	Gullick	Haley

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Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Kelly
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Scott
Simrill	Skelton	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Stringer	Thompson	Toole
Umphlett	Viers	White
Willis	Wylie	A. D. Young
T. R. Young		

**Total--58**

Those who voted in the negative are:

Agnew	Allen	Anderson
Bales	Branham	Brantley
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Gunn
Harvin	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	Kennedy	King
Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	Ott	Sellers
J. E. Smith	Vick	Weeks
Williams		

**Total--37**

So, the amendment was tabled.

**POINT OF ORDER**

Rep. RUTHERFORD raised the Point of Order that members have the right to speak for or against an amendment and then vote the opposite of the position for which they declared to be speaking.

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SPEAKER HARRELL stated that speaking in favor or against an amendment and then voting the opposite of the position for which a member spoke was in violation of the spirit of the rules. He stated that for members to act in such a way would have adverse long-term effects on House procedures and the agreement of allowing members to express their true opinions.

### POINT OF ORDER

Rep. HART raised the Point of Order that the rule did not prohibit members from both speaking for and against an amendment.

SPEAKER HARRELL stated that it would be difficult to try to ascertain if a member was actually for or against an amendment and therefore he could not control a member taking the floor to speak on an amendment. However, the rule stated that opponents and proponents each had three minutes to speak on an amendment. He stated further that the spirit of the rules mandated that members respect the other side's right to speak and not unjustly take that time.

Rep. WEEKS proposed the following Amendment No. 10 (COUNCIL\DKA\3181DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid voter registration certificate; South Carolina driver's license; identification card issued by the State of South Carolina; form of identification containing the person's photograph that establishes the person's identity; citizenship papers issued by the United States; United States passport; official mail addressed to the person from a governmental entity; copy of a current utility bill, bank statement, paycheck, government-issued check, or other government document that contains the name and address of the person; or any other form of identification prescribed by the South Carolina Secretary of State ~~if he is not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector.~~ If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the

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managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed 'Names of Voters'. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter's oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter's driver's license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid voter registration certificate; South Carolina driver's license; identification card issued by the State of South Carolina; form of identification containing the person's photograph that establishes the person's identity; citizenship papers issued by the United States; United States passport; official mail addressed to the person from a governmental entity; copy of a current utility bill, bank statement, paycheck, government-issued check, or other government document that contains the name and address of the person; or any other form of identification prescribed by the South Carolina Secretary of State as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid identification to the board of voter registration within ten days after the election."

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

"Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o'clock in the afternoon of ten days from the date of the general election, after noon on~~ that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the

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secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers.”

SECTION 3. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 60; Nays 39

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Clemmons	Cole	Cooper
Crawford	Daning	Edge
Erickson	Forrester	Frye
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison
Hearn	Herbkersman	Hiott
Horne	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Millwood
Moss	Nanney	Owens
Parker	Pinson	M. A. Pitts
Sandifer	Scott	Simrill
Skelton	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Stringer
Thompson	Toole	Umphlett
Viers	White	Willis
Wylie	A. D. Young	T. R. Young

**Total--60**

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Those who voted in the negative are:

Agnew	Allen	Anderson
Bowers	Branham	Brantley
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Harvin	Hayes
Hodges	Hosey	Howard
Hutto	Jefferson	Kennedy
King	Knight	Mack
McLeod	Miller	Mitchell
J. H. Neal	J. M. Neal	Neilson
Ott	Rutherford	Sellers
J. E. Smith	Weeks	Williams

**Total--39**

So, the amendment was tabled.

### RECORD FOR VOTING

I was temporarily out of the Chamber during the vote on Amendment No. 10 to H. 3418. If I had been present, I would have voted against tabling the Amendment.

Rep. Anne Hutto

Rep. WEEKS proposed the following Amendment No. 11 (COUNCIL\DKA\3182DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid South Carolina driver's license; identification card issued by the State of South Carolina; tribal identification card; voter registration card; or copy of a current utility bill, bank statement, paycheck, government-issued check, or other government document that contains the name and address of the person ~~if he is not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector.~~ If the elector loses or defaces his registration notification, he may obtain a duplicate

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notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed 'Names of Voters'. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter's oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter's driver's license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid South Carolina driver's license; identification card issued by the State of South Carolina; tribal identification card; voter registration card; or copy of a current utility bill, bank statement, paycheck, government-issued check, or other government document that contains the name and address of the person as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid identification to the board of voter registration within ten days after the election."

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

"Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o'clock in the afternoon of ten days from the date of the general election, after noon on~~ that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The

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commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers.”

SECTION 3. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 62; Nays 39

Those who voted in the affirmative are:

Ballentine	Bannister	Barfield
Bedingfield	Bingham	Bowen
Brady	Cato	Chalk
Clemmons	Cole	Cooper
Crawford	Daning	Edge
Erickson	Forrester	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison
Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Sandifer
Scott	Simrill	Skelton
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Stringer	Thompson
Toole	Umphlett	Viers
White	Willis	Wylie
A. D. Young	T. R. Young	

**Total--62**



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Those who voted in the negative are:

Allen	Anderson	Bales
Bowers	Branham	Brantley
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Harvin	Hayes
Hosey	Howard	Jefferson
King	Knight	Mack
McEachern	McLeod	Miller
Mitchell	Moss	J. H. Neal
J. M. Neal	Neilson	Ott
Rutherford	Sellers	J. E. Smith
Vick	Weeks	Williams

**Total--39**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 12 (COUNCIL\DKA\3210DW09), which was tabled:

Amend the bill, as and if amended, by striking SECTION 5 in its entirety and inserting:

/SECTION 5. This act takes effect December 31, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. WEEKS demanded the yeas and nays which were taken, resulting as follows:

Yeas 60; Nays 45

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Clemmons	Cole	Cooper
Crawford	Daning	Edge

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Erickson	Forrester	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison
Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly
Limehouse	Loftis	Long
Lowe	Lucas	Merrill
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Simrill
Skelton	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Stringer
Thompson	Toole	Umphlett
Viers	White	Willis
Wylie	A. D. Young	T. R. Young

**Total--60**

Those who voted in the negative are:

Agnew	Allen	Anderson
Bales	Bowers	Branham
Brantley	H. B. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Funderburk	Gilliard	Govan
Gunn	Hart	Harvin
Hayes	Hodges	Hosey
Howard	Hutto	Jefferson
Kennedy	King	Knight
Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Neilson
Ott	Parks	Rutherford
Sellers	J. E. Smith	Stavrinakis
Vick	Weeks	Williams

**Total--45**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 13  
(COUNCIL\DKA\3174DW09), which was tabled:

[HJ]

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Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid identification card that contains a photograph of the person issued by the State of South Carolina, identification card that contains a photograph of the person issued by any state, identification card that contains a photograph of the person issued by the federal government, United States passport, United States military identification card that contains a photograph of the person, South Carolina hunting license, South Carolina fishing license, South Carolina concealed weapons permit, pilot’s license issued by the Federal Aviation Administration, birth certificate, employee identification card that contains a photograph of the person, South Carolina college or university identification card that contains a photograph of the person, utility bill, bank statement, or government-issued check if he is not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector. If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

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(B) If the elector cannot produce a valid identification card that contains a photograph of the person issued by the State of South Carolina, identification card that contains a photograph of the person issued by any state, identification card that contains a photograph of the person issued by the federal government, United States passport, United States military identification card that contains a photograph of the person, South Carolina hunting license, South Carolina fishing license, South Carolina concealed weapons permit, pilot's license issued by the Federal Aviation Administration, birth certificate, employee identification card that contains a photograph of the person, South Carolina college or university identification card that contains a photograph of the person, utility bill, bank statement, or government-issued check as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid identification to the board of voter registration within ten days after the election."

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

"Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o'clock in the afternoon of ten days from the date of the general election, after noon on~~ that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers."

SECTION 3. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform

Rep. WEEKS spoke in favor of the amendment.

Rep. KENNEDY spoke against the amendment.

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Rep. CLEMMONS moved to table the amendment.

Rep. WEEKS demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 64; Nays 41

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Bedingfield	Bingham	Bowen
Brady	Cato	Chalk
Clemmons	Cole	Cooper
Crawford	Daning	Edge
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Kennedy	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Merrill
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Scott
Simrill	Skelton	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Stringer	Thompson	Toole
Umphlett	Viers	White
Willis	Wylie	A. D. Young
T. R. Young		

**Total--64**

Those who voted in the negative are:

Agnew	Allen	Anderson
Bales	Bowers	Branham
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Gunn
Harvin	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	King	Knight

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Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Neilson
Ott	Parks	Rutherford
Sellers	Stavrinakis	Vick
Weeks	Williams	

**Total--41**

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 14 (COUNCIL\DKA\3211DW09), which was tabled:

Amend the bill, as and if amended, by Section 7-13-710, SECTION 1, page [3418-2], by adding after line 31

/ (C) Notwithstanding other provisions of this section, if the elector presents himself to vote with a valid voter registration card as his only form of identification, the entity charged by law with conducting the election shall provide facilities to produce an on-site voter identification card containing a photograph, at no charge, in order for that elector to vote at that election. /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 63; Nays 44

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick

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Harrell	Harrison	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Merrill
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
Sandifer	Scott	Simrill
Skelton	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Stringer
Thompson	Toole	Umphlett
Viers	White	Willis
Wylie	A. D. Young	T. R. Young

**Total--63**

Those who voted in the negative are:

Alexander	Allen	Anderson
Bales	Bowers	Branham
Brantley	H. B. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Funderburk	Govan	Gunn
Hart	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	Kennedy	King
Knight	Mack	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parks
Rutherford	Sellers	J. E. Smith
Stavrinakis	Vick	Weeks
Whipper	Williams	

**Total--44**

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 15 (COUNCIL\DKA\3213DW09), which was tabled:

Amend the bill, as and if amended, by Section 7-13-710, SECTION 1, page [3418-2], by adding after line 31:

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/ (C) Notwithstanding other provisions of this section, if the elector presents himself to vote with a valid voter registration card as his only form of identification, the entity charged by law with conducting the election shall verify through a computer interface with the Department of Motor Vehicles that the elector presenting himself to vote has a valid driver's license or other photo identification on file with the department which complies with the provisions of this section and which allows this elector to cast his vote. /

Renumber sections to conform.

Amend title to conform.

Rep. KING spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 63; Nays 37

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Harrison	Hart
Hearn	Herbkersman	Hiott
Horne	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Merrill
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
Sandifer	Scott	Simrill
Skelton	G. R. Smith	J. R. Smith
Sottile	Stavrinakis	Stringer
Thompson	Toole	Umphlett



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Viers	White	Willis
Wylie	A. D. Young	T. R. Young

**Total--63**

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Bales	Bowers
Branham	H. B. Brown	R. L. Brown
Cobb-Hunter	Dillard	Funderburk
Govan	Gunn	Hayes
Hodges	Hosey	Hutto
Jefferson	Kennedy	King
Knight	Mack	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	Neilson
Ott	Parks	Sellers
J. E. Smith	Weeks	Whipper
Williams		

**Total--37**

So, the amendment was tabled.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. NEILSON a temporary leave of absence, due to a dental appointment.

Rep. KING proposed the following Amendment No. 16 (COUNCIL\DKA\3212DW09), which was tabled:

Amend the bill, as and if amended, by Section 7-13-710, SECTION 1, page [3418-2], by adding after line 31:

/ (C)(1) Notwithstanding other provisions of this section, if the elector presents himself to vote with a valid voter registration card as his only form of identification, the entity charged by law with conducting the election shall provide facilities to produce an on-site voter identification card containing a photograph, at no charge, in order for that elector to vote at that election.

\_\_\_\_ (2) Notwithstanding other provisions of this section, if the elector presents himself to vote after previously having been issued a photo identification card at an on-site facility, as verified by the entity

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conducting the election, and he has lost the photograph identification card, he shall obtain an identification card containing a photograph from the Department of Motor Vehicles before he is allowed to vote. /

Renumber sections to conform.

Amend title to conform.

Rep. GOVAN spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 60; Nays 35

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bedingfield	Bingham	Bowen
Brady	Cato	Chalk
Clemmons	Cole	Crawford
Daning	Edge	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison
Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson
E. H. Pitts	Sandifer	Scott
Simrill	Skelton	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Stringer	Thompson	Toole
Umphlett	White	Willis
Wylie	A. D. Young	T. R. Young

**Total--60**

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Bales	Branham

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H. B. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Gunn
Hart	Harvin	Hayes
Hodges	Hutto	Jefferson
Kennedy	King	Mack
McEachern	McLeod	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parks
Sellers	J. E. Smith	Vick
Weeks	Williams	

**Total--35**

So, the amendment was tabled.

Rep. SELLERS proposed the following Amendment No. 17 (COUNCIL\DKA\3200DW09), which was tabled:

Amend the bill, as and if amended, by striking SECTION 3 in its entirety and inserting:

/ SECTION 3. Section 7-17-220 of the 1976 Code is amended to read:

“Section 7-17-220. Unless otherwise provided in Section 7-3-10(c), the Board of State Canvassers shall ~~meet at~~ convene a meeting scheduled through the office of the Election Commission ~~within ten days after any general election~~ no more than five days after the commissioners of election meet pursuant to Section 7-17-10 for the purpose of canvassing the vote for all officers voted for at such election, including the vote for the electors for President and Vice President, and for the purpose of canvassing the vote on all Constitutional Amendments and questions and other issues. Nothing in this section prohibits the meeting from being conducted by using telephone conference or other means of telecommunication or electronic communication. Any meeting of the Board of Canvassers as provided in this section must be accessible and without cost to the public and must comply with the notice requirements of the Freedom of Information Act, Chapter 4 of Title 30.” /

Amend further by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_\_ . Section 7-17-510 of the 1976 Code is amended to read:

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“Section 7-17-510. The commissioners of election for the counties shall ~~meet in a convenient place in the county seat~~ convene a meeting on the Thursday next following the primary, before one o’clock p.m. of that day and shall organize as the county board of canvassers for primaries. They may appoint a competent person as secretary. The chairman shall administer the constitutional oath to each member of the board and to the secretary. The secretary shall administer to the chairman the same oath. Each county board of canvassers for primaries shall canvass the votes of the county and declare the results. The county board of canvassers for primaries shall make statements of the votes of the precincts of its county as the nature of the primary requires not later than twelve o’clock noon on the Saturday next following the primary and at that time transmit and certify to the Board of State Canvassers the results of its findings. This procedure must be repeated following every primary runoff. The Board of State Canvassers shall ~~meet at~~ convene a meeting scheduled through the office of the State Election Commission and shall canvass the vote and declare the results of the primaries and the runoffs no later than twelve o’clock noon on the Saturday next following the primary in the State for state offices, federal offices, and offices involving more than one county. Nothing in this section prohibits any meeting required by this section from being conducted by using telephone conference or other means of telecommunication or electronic communication. Any meeting provided for in this section must be accessible and without cost to the public and must comply with the notice requirements of the Freedom of Information Act, Chapter 4 of Title 30.” /

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. SELLERS demanded the yeas and nays which were taken, resulting as follows:

Yeas 59; Nays 41

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bedingfield	Bingham	Bowen
Brady	Cato	Chalk

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Clemmons	Cole	Cooper
Crawford	Daning	Edge
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Littlejohn
Loftis	Lucas	Merrill
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
Sandifer	Scott	Simrill
Skelton	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Stringer
Thompson	Toole	Umphlett
White	Willis	Wylie
A. D. Young	T. R. Young	

**Total--59**

Those who voted in the negative are:

Alexander	Allen	Anderson
Bales	Bowers	Branham
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Hutto	Jefferson
Kennedy	King	Knight
Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Ott
Parks	Sellers	J. E. Smith
Stavrinakis	Vick	Weeks
Whipper	Williams	

**Total--41**

So, the amendment was tabled.

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Rep. SELLERS proposed the following Amendment No. 18 (COUNCIL\DKA\3201DW09), which was tabled:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION \_\_\_\_\_. Section 7-15-220 of the 1976 Code is amended to read:

“Section 7-15-220. The oath, a copy of which is required by item (2) of Section 7-15-200 to be sent each absentee ballot applicant and which is required by Section 7-15-230 to be returned with the absentee ballot applicant’s ballot, ~~shall~~ must be signed by the absentee ballot applicant ~~and witnessed~~. The oath ~~shall~~ must be in the following form:

‘I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots with which this oath is enclosed is my ballot and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.

\_\_\_\_\_  
Signature of Voter  
Dated on this \_\_\_\_ day of \_\_\_\_ ~~19~~ 20 \_\_\_\_

\_\_\_\_\_  
~~Signature of Witness~~

\_\_\_\_\_  
~~Address of Witness’”~~

SECTION \_\_\_\_\_. Section 7-15-380 of the 1976 Code, as last amended by Act 416 of 1996, is further amended to read:

“Section 7-15-380. The oath, which is required by Section 7-15-370 to be imprinted on the return-addressed envelope, furnished each absentee ballot applicant, must be signed by the absentee ballot applicant ~~and witnessed~~. ~~The address of the witness shall appear on the oath.~~ ~~In the event~~ If the voter cannot write because of a physical handicap or illiteracy, the voter ~~must~~ shall make his mark ~~and have the mark witnessed by someone designated by the voter~~. The oath must be in the following form:

‘I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots contained in this envelope is my ballot and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.

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\_\_\_\_\_  
Signature of Voter  
Dated on this \_\_\_\_\_ day of \_\_\_\_\_, 19 20 \_\_\_\_

\_\_\_\_\_  
~~Signature of Witness~~

\_\_\_\_\_  
~~Address of Witness~~”

SECTION \_\_\_\_\_. Section 7-15-385 of the 1976 Code, as last amended by Act 416 of 1996, is further amended to read:

“Section 7-15-385. Upon receipt of the ballot or ballots, the absentee ballot applicant ~~must~~ shall mark each ballot on which he wishes to vote and place each ballot in the single envelope marked ‘Ballot Herein’ which in turn must be placed in the return-addressed envelope. The applicant ~~must~~ shall then return the return-addressed envelope to the board of registration by mail, by personal delivery, or by authorizing another person to return the envelope for him. The authorization must be given in writing on a form prescribed by the State Election Commission and must be turned in to the board of registration at the time the envelope is returned. The voter ~~must~~ shall sign the form, or ~~in the event~~ if the voter cannot write because of a physical handicap or illiteracy, the voter ~~must~~ shall make his mark ~~and have the mark witnessed by someone designated by the voter~~. The authorization must be preserved as part of the record of the election, and the board of registration ~~must~~ shall note the authorization and the name of the authorized returnee in the record book required by Section 7-15-330. A candidate or a member of a candidate’s paid campaign staff including volunteers reimbursed for time expended on campaign activity is not permitted to serve as an authorized returnee for any person unless the person is a member of the voter’s immediate family as defined in Section 7-15-310. The oath ~~set forth~~ as provided in Section 7-15-380 must be signed ~~and witnessed~~ on each returned envelope. The board of registration ~~must~~ shall record in the record book required by Section 7-15-330 the date the return-addressed envelope with ~~witnessed~~ oath and enclosed ballot or ballots is received by the board. The board ~~must~~ shall securely store the envelopes in a locked box within the office of the registration board.”

SECTION \_\_\_\_\_. Section 7-15-420 of the 1976 Code, as last amended by Act 284 of 2006, is further amended to read:

“Section 7-15-420. The county election commission, municipal election commission, or executive committee of each municipal party in the case of municipal primary elections is responsible for the

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tabulation and reporting of absentee ballots. At 9:00 a.m. on election day, the managers appointed pursuant to Section 7-13-70, and in the presence of any watchers who have been appointed pursuant to Section 7-13-860, may begin the process of examining the return-addressed envelopes that have been received by the county registration board making certain that each oath has been properly signed ~~and witnessed~~ ~~and includes the address of the witness.~~ All return-addressed envelopes received by the county registration board before the time for closing the polls must be examined in this manner. A ballot may not be counted unless the oath is properly signed ~~and witnessed~~ nor may any ballot be counted which is received by the county registration board after time for closing of the polls. The printed instructions required by Section 7-15-370(2) to be sent each absentee ballot applicant must notify him that his vote will not be counted in either of these events. If a ballot is not challenged, the sealed return-addressed envelope must be opened by the managers, and the enclosed envelope marked 'Ballot Herein' removed and placed in a locked box or boxes. After all return-addressed envelopes have been emptied in this manner, the managers shall remove the ballots contained in the envelopes marked 'Ballot Herein', placing each one in the ballot box provided for the applicable contest. Beginning at 9:00 a.m. on election day, the absentee ballots may be tabulated, including any absentee ballots received on election day before the polls are closed. If any ballot is challenged, the return-addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7-13-830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot. Results of the tabulation must not be publicly reported until after the polls are closed." /

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 64; Nays 39



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Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Harrison	Hayes
Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Sandifer
Scott	Simrill	Skelton
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Stringer	Thompson
Toole	Umphlett	White
Willis	Wylie	A. D. Young
T. R. Young		

**Total--64**

Those who voted in the negative are:

Alexander	Allen	Anderson
Bales	Bowers	Branham
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Govan	Gunn	Hart
Harvin	Hodges	Hosey
Hutto	Jefferson	Kennedy
King	Knight	Mack
McEachern	McLeod	Miller
Mitchell	Moss	J. H. Neal
J. M. Neal	Ott	Parks

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Sellers  
Vick

J. E. Smith  
Weeks

Stavrinakis  
Williams

**Total--39**

So, the amendment was tabled.

Rep. SELLERS proposed the following Amendment No. 19 (COUNCIL\DKA\3197DW09), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-13-710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7-13-710.(A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid South Carolina driver's license, whether expired or not, valid identification card issued by the State of South Carolina or the federal government, voter identification card issued by the State of South Carolina or by the county in which the person is registered to vote, valid United States passport, valid employee identification card containing a photograph issued by any brand, department, agency, or entity of the United States government, the State of South Carolina, or any county, municipality, board, authority or other entity of the state if he is not licensed to drive, or and the written notification of registration provided for by Sections 7-5-125 and 7-5-180 if the notification has been signed by the elector. If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter's oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter's driver's license, registration notification, or other identification and may require further

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identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(B) If the elector cannot produce a valid South Carolina driver's license, whether expired or not, valid identification card issued by the State of South Carolina or the federal government, voter identification card issued by the State of South Carolina or by the county in which the person is registered to vote, valid United States passport, valid employee identification card containing a photograph issued by any brand, department, agency, or entity of the United States government, the State of South Carolina, or any county, municipality, board, authority or other entity of the state as required in subsection (A), the elector may cast a provisional ballot that is counted only if the elector brings a valid identification to the board of voter registration within ten days after the election."

SECTION 2. Section 7-17-10 of the 1976 Code, as last amended by Act 261 of 2002, is further amended to read:

"Section 7-17-10. The commissioners of election for Governor, Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat ~~on the Friday next following the election, before one o'clock in the afternoon of ten days from the date of the general election, after noon on~~ that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman shall then proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers shall likewise meet at the same time at the county seat and shall in the same manner proceed to organize as the county board of canvassers for the election of the federal officers."

SECTION 3. This act takes effect January 1, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS moved to table the amendment, which was agreed to.

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Rep. OTT proposed the following Amendment No. 20 (COUNCIL\DKA\3214DW09), which was tabled:

Amend the bill, as and if amended, Section 7-13-710, SECTION 1, page [3418-2], by adding after line 31 a new subsection to read:

/ (C) The provisions of this section do not apply to an elector who is seventy-five years of age or older. /

Amend further Section 7-17-10, SECTION 2, page [3418-3], by adding after line 8 a paragraph to read:

/ The provisions of this section do not apply to an elector who is seventy-five years of age or older. /

Amend further Section 7-17-220, SECTION 3, page [3418-3], by adding after line 19 a new paragraph to read:

/ The provisions of this section do not apply to an elector who is seventy-five years of age or older. /

Amend further Section 56-1-3350, SECTION 4, page [3418-4], by adding after line 32 a new subsection to read:

/ (C) The provisions of this section do not apply to an elector who is seventy-five years of age or older. /

Renumber sections and subsections to conform.

Amend title to conform.

Rep. JEFFERSON spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 61; Nays 42

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Long

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Lowe	Lucas	Merrill
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Scott
Simrill	Skelton	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Stewart	Stringer	Thompson
Toole	Umphlett	White
Willis	Wylie	A. D. Young
T. R. Young		

**Total--61**

Those who voted in the negative are:

Alexander	Allen	Anderson
Bales	Bowers	Branham
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Hutto	Jefferson
Kennedy	King	Knight
Littlejohn	Mack	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Ott	Parks	Sellers
J. E. Smith	Stavrinakis	Vick
Weeks	Whipper	Williams

**Total--42**

So, the amendment was tabled.

Rep. OTT proposed the following Amendment No. 21 (COUNCIL\DKA\3215DW09), which was tabled:

Amend the bill, as and if amended, Section 7-13-710, SECTION 1, page [3418-2], by adding after line 31 a new subsection to read:

/ (C) The provisions of this section do not apply to an elector who presents a certificate from a licensed medical doctor stating that he is unable to drive a motor vehicle because of a physical handicap. /

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Amend further Section 7-17-10, SECTION 2, page [3418-3], by adding after line 8 a paragraph to read:

/ The provisions of this section do not apply to an elector who presents a certificate from a licensed medical doctor stating that he is unable to drive a motor vehicle because of a physical handicap. /

Amend further Section 7-17-220, SECTION 3, page [3418-3], by adding after line 19 a new paragraph to read:

/ The provisions of this section do not apply to an elector who presents a certificate from a licensed medical doctor stating that he is unable to drive a motor vehicle because of a physical handicap. /

Amend further Section 56-1-3350, SECTION 4, page [3418-4], by adding after line 32 a new subsection to read:

/ (C) The provisions of this section do not apply to an elector who presents a certificate from a licensed medical doctor stating that he is unable to drive a motor vehicle because of a physical handicap. /

Renumber sections and subsections to conform.

Amend title to conform.

Rep. WILLIAMS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. J. H. NEAL demanded the yeas and nays which were taken, resulting as follows:

Yeas 62; Nays 40

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson

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E. H. Pitts	M. A. Pitts	Sandifer
Scott	Simrill	Skelton
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Stewart	Stringer
Thompson	Toole	Umphlett
White	Willis	Wylie
A. D. Young	T. R. Young	

**Total--62**

Those who voted in the negative are:

Alexander	Allen	Anderson
Bales	Bowers	Branham
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	King	Knight
Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Ott
Parks	Sellers	J. E. Smith
Vick	Weeks	Whipper
Williams		

**Total--40**

So, the amendment was tabled.

Rep. CLYBURN proposed the following Amendment No. 22 (COUNCIL\DKA\3216DW09), which was tabled:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION \_\_\_\_ Article 3, Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7-5-145. Notwithstanding another provision of law, the entity charged by law with registration of electors, shall allow and provide a procedure by which a qualified elector may register to vote and cast his ballot on the day of the election.”

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SECTION \_\_\_\_ Sections 7-5-150 and 7-5-220 of the 1976 Code are repealed. /

Renumber sections and subsections to conform.

Amend title to conform.

Rep. CLYBURN spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 64; Nays 37

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Harrison	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Knight
Limehouse	Loftis	Long
Lowe	Lucas	Merrill
Millwood	Moss	Nanney
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Sandifer
Scott	Simrill	Skelton
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Stewart	Stringer
Thompson	Toole	White
Willis	Wylie	A. D. Young
T. R. Young		

**Total--64**



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Those who voted in the negative are:

Alexander	Allen	Anderson
Bales	Bowers	Branham
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Funderburk	Gilliard
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Hutto	Jefferson
Kennedy	King	Mack
McEachern	McLeod	Miller
Mitchell	J. H. Neal	J. M. Neal
Ott	Parks	Sellers
J. E. Smith	Vick	Weeks
Williams		

**Total--37**

So, the amendment was tabled.

Rep. SELLERS proposed the following Amendment No. 23 (COUNCIL\MS\7250AHB09), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Article 7, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7-13-870. (A) It is unlawful for a person to knowingly and intentionally mislead another person regarding the time, place, or subject matter of an election.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than sixty days, or both.”/

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 57; Nays 49

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Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bedingfield	Bingham	Bowen
Brady	Cato	Chalk
Clemmons	Cole	Cooper
Crawford	Daning	Edge
Erickson	Forrester	Frye
Gambrell	Hamilton	Hardwick
Harrell	Harrison	Hearn
Herbkersman	Hiott	Horne
Kelly	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Merrill	Millwood
Nanney	Owens	Parker
Pinson	M. A. Pitts	Sandifer
Scott	Simrill	Skelton
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Stewart	Stringer
Toole	Umphlett	White
Willis	Wylie	A. D. Young

**Total--57**

Those who voted in the negative are:

Alexander	Allen	Anderson
Bales	Ballentine	Bowers
Branham	H. B. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Funderburk	Gilliard	Govan
Gullick	Gunn	Haley
Hart	Harvin	Hayes
Hodges	Hosey	Howard
Huggins	Hutto	Jefferson
Kennedy	King	Knight
Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	Ott	Parks
E. H. Pitts	Sellers	J. E. Smith
Stavrinakis	Thompson	Vick

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Weeks	Whipper	Williams
T. R. Young		

**Total--49**

So, the amendment was tabled.

Rep. E. H. PITTS spoke in favor of the Bill.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CHALK a leave of absence for the remainder of the day.

Rep. J. H. NEAL spoke against the Bill.

Rep. MACK spoke against the Bill.

Rep. G. R. SMITH spoke in favor of the Bill.

Rep. HART spoke against the Bill.

Rep. GOVAN spoke against the Bill.

Rep. M. A. PITTS spoke in favor of the Bill.

Rep. WEEKS spoke against the Bill.

Rep. MILLER spoke against the Bill.

Rep. SKELTON spoke in favor of the Bill.

Rep. OTT spoke against the Bill.

Rep. STAVRINAKIS spoke against the Bill.

Rep. J. E. SMITH spoke against the Bill.

Rep. CLEMMONS spoke in favor of the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 65; Nays 14

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Clemmons	Cole	Cooper
Crawford	Daning	Delleney
Duncan	Edge	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison

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Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Sandifer
Scott	Simrill	Skelton
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Stewart	Stringer
Thompson	Toole	Umphlett
White	Willis	Wylie
A. D. Young	T. R. Young	

**Total--65**

Those who voted in the negative are:

Bowers	Branham	H. B. Brown
Funderburk	Hayes	Hutto
Knight	McLeod	Miller
Moss	J. M. Neal	Ott
Stavrinakis	Vick	

**Total--14**

So, the Bill, as amended, was read the second time and ordered to third reading.

**STATEMENT FOR THE JOURNAL**

Not being in attendance for the second reading vote on H. 3418, I wish for the record to show that my intention would be to vote in favor of H. 3418.

Rep. Richard Chalk

**H. 3418--MOTION TO RECONSIDER TABLED**

Rep. G. M. SMITH moved to reconsider the vote whereby the following Bill was read second time:

H. 3418 -- Reps. Harrell, Simrill, Crawford, Huggins, Bedingfield, Merrill, G. R. Smith, Erickson, Ballentine, Brady, Chalk, Daning, Delleney, Frye, Gambrell, Hamilton, Harrison, Hearn, Herbkersman,

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Loftis, Long, Lucas, Nanney, Pinson, Rice, G. M. Smith, Spires, Stringer, Thompson, Viers, Willis, Wylie, T. R. Young, Clemmons, Owens, Parker, Toole, M. A. Pitts, Lowe, Bingham, Umphlett, Sandifer and Edge: A BILL TO AMEND SECTION 7-13-710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PRESENTATION OF A PERSON'S PROOF OF HIS RIGHT TO VOTE, SO AS TO REQUIRE THE ELECTOR TO PRODUCE A VALID PHOTO IDENTIFICATION CARD AT THE TIME OF COSTING HIS BALLOT, TO REQUIRE A POLL MANAGER TO COMPARE THE PHOTOGRAPH ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE.

Rep. G. M. SMITH moved to table the motion to reconsider, which was agreed to.

**OBJECTION TO MOTION**

Rep. HARRISON asked unanimous consent that H. 3418 be read a third time tomorrow.

Rep. OTT objected.

**H. 3305--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

H. 3305 -- Reps. Bedingfield, Merrill, Bingham, Duncan, Loftis, G. R. Smith, Cato, Owens, Crawford, A. D. Young, Nanney, Bannister, Daning, Harrison, Horne, Kirsh, Lowe, Lucas, E. H. Pitts, Stringer, Thompson, Toole, Wylie, T. R. Young, Long, Rice, Parker, Allison, Littlejohn, Cole, Hiott, Edge, Whitmire, Hearn, Hardwick, D. C. Smith, Pinson, J. R. Smith, Simrill, Brantley, Willis, Hamilton, Erickson, Sottile, Scott, Harrell, Delleney, Gullick, Frye, Clemmons, G. M. Smith, Battle, Sandifer, Millwood, Haley, Ballentine, M. A. Pitts, Cooper, White, Gambrell, Bowen and Umphlett: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO ELECTIONS BY SECRET BALLOT AND PROTECTION OF THE RIGHT OF SUFFRAGE, SO AS TO PROVIDE THAT THE GUARANTEE OF THE RIGHT TO VOTE BY SECRET BALLOT APPLIES IN REQUIRED DESIGNATIONS OR AUTHORIZATIONS FOR EMPLOYEE REPRESENTATION.

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Rep. BEDINGFIELD moved to adjourn debate on the Joint Resolution until Tuesday, March 10, which was agreed to by a division vote of 54-16.

Rep. OTT moved that the House do now adjourn.

Rep. CATO demanded the yeas and nays which were taken, resulting as follows:

Yeas 7; Nays 66

Those who voted in the affirmative are:

Bowers	H. B. Brown	Funderburk
McLeod	Moss	Ott
Vick		

**Total--7**

Those who voted in the negative are:

Allison	Bales	Ballentine
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Clemmons	Cole	Cooper
Crawford	Daning	Delleney
Duncan	Edge	Erickson
Forrester	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Harrison	Hearn
Herbkersman	Hiott	Horne
Huggins	Hutto	Kelly
Knight	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Merrill	Miller
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Sandifer	Scott
Simrill	Skelton	G. M. Smith
G. R. Smith	Sottile	Stewart
Stringer	Thompson	Toole

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Umphlett  
Wylie

White  
A. D. Young

Willis  
T. R. Young

**Total--66**

So, the House refused to adjourn.

**H. 3084--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3084 -- Reps. Toole, Wylie and Hamilton: A BILL TO AMEND SECTION 57-3-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NAMING OF A HIGHWAY FACILITY IN HONOR OF AN INDIVIDUAL, SO AS TO PROVIDE THAT UNLESS THE HIGHWAY FACILITY IS DEDICATED AND NAMED IN HONOR OF EITHER A SERVICEMAN OR LAW ENFORCEMENT OFFICER KILLED IN THE LINE OF DUTY, PUBLIC FUNDS MAY NOT BE USED TO REIMBURSE THE DEPARTMENT OF TRANSPORTATION FOR THE EXPENSES IT INCURS TO NAME AND DEDICATE THE HIGHWAY FACILITY.

Rep. NANNEY proposed the following Amendment No. 1 (COUNCIL\MS\7222MM09), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. A. Article 7, Chapter 3, Title 57 of the 1976 Code is amended by adding:

“Section 57-3-605. A state road, highway or interstate highway, any portion of a state road, highway, or interstate highway, or a state bridge, interchange, or intersection may not be named for a person who is living.”

B. This section takes effect upon approval by the Governor and applies with respect to state roads, highways, interstate highways, and any part of them, and state bridges, interchanges, and intersections not yet officially named for a living person as of this section's effective date. /

Renumber sections to conform.

Amend title to conform.

Rep. NANNEY explained the amendment.

Rep. J. E. SMITH spoke upon the amendment.

[HJ]

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Rep. COOPER moved cloture on the entire matter.

Rep. COOPER demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 49; Nays 28

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bedingfield	Bingham	Bowen
Brady	Cato	Clemmons
Cole	Cooper	Crawford
Daning	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Hamilton	Hardwick	Harrell
Hearn	Herbkersman	Hiott
Horne	Limehouse	Loftis
Long	Merrill	Millwood
Nanney	Owens	M. A. Pitts
Sandifer	Simrill	G. R. Smith
Sottile	Stewart	Stringer
Thompson	Toole	White
Willis	Wylie	A. D. Young
T. R. Young		

**Total--49**

Those who voted in the negative are:

Bales	Ballentine	Bowers
Branham	H. B. Brown	Funderburk
Haley	Hayes	Huggins
Hutto	Kelly	Knight
Littlejohn	Lucas	McLeod
Miller	Moss	J. M. Neal
Ott	Parker	Pinson
E. H. Pitts	Skelton	G. M. Smith
J. E. Smith	Stavrinakis	Umphlett
Vick		

**Total--28**



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So, cloture was ordered.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. LUCAS spoke against the amendment.

Rep. LUCAS moved to table the amendment.

Rep. OTT demanded the yeas and nays which were taken, resulting as follows:

Yeas 41; Nays 32

Those who voted in the affirmative are:

Bales	Barfield	Bowen
Bowers	Branham	H. B. Brown
Clemmons	Cole	Cooper
Delleney	Forrester	Funderburk
Gambrell	Hardwick	Harrell
Hayes	Herbkersman	Hiott
Hutto	Kelly	Knight
Limehouse	Lucas	McLeod
Miller	Moss	J. M. Neal
Ott	Owens	Parker
Pinson	Sandifer	Simrill
Skelton	G. M. Smith	Sottile
Stavrinakis	Thompson	Umphlett
Vick	White	

**Total--41**

Those who voted in the negative are:

Allison	Ballentine	Bannister
Bedingfield	Bingham	Brady
Cato	Crawford	Daning
Duncan	Edge	Erickson
Frye	Gullick	Haley
Hamilton	Horne	Huggins
Loftis	Long	Millwood
Nanney	E. H. Pitts	M. A. Pitts
G. R. Smith	Stewart	Stringer

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Toole	Willis	Wylie
A. D. Young	T. R. Young	

**Total--32**

So, the amendment was tabled.

Rep. J. E. SMITH spoke against the Bill.

Rep. BALES moved to table the Bill.

Rep. SIMRILL demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 22; Nays 51

Those who voted in the affirmative are:

Bales	Bowers	Branham
H. B. Brown	Clemmons	Funderburk
Hayes	Hutto	Knight
McLeod	Miller	Moss
J. M. Neal	Ott	Pinson
Skelton	J. E. Smith	Sottile
Stavrinakis	Thompson	Umphlett
Vick		

**Total--22**

Those who voted in the negative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Cole	Cooper	Crawford
Daning	Delleney	Duncan
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Limehouse
Littlejohn	Loftis	Long
Lucas	Millwood	Nanney
Owens	Parker	E. H. Pitts

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Sandifer	Simrill	G. M. Smith
G. R. Smith	Stewart	Stringer
Toole	White	Willis
Wylie	A. D. Young	T. R. Young

**Total--51**

So, the House refused to table the Bill.

Rep. BINGHAM moved to adjourn debate on the Bill, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

Rep. SANDIFER moved that the House recur to the morning hour.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 492 -- Senators Setzler, Knotts, Courson and Cromer: A CONCURRENT RESOLUTION TO COMMEND PROVIDENCE HOSPITALS AND LEXINGTON MEDICAL CENTER FOR COLLABORATIVELY WORKING TO IMPROVE MEDICAL CARE FOR THE CITIZENS OF THE MIDLANDS OF SOUTH CAROLINA.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were introduced, read the first time, and referred to appropriate committees:

H. 3622 -- Reps. Umphlett and Knight: A BILL TO AMEND SECTION 6-29-1540, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONDITIONS AND LIMITATIONS IN CONNECTION WITH THE "VESTED RIGHTS ACT", SO AS TO PROVIDE FOR REVOCATION OF VESTED RIGHTS ESTABLISHED PURSUANT TO THE ACT IF A LANDOWNER SEEKS A VARIANCE, REGULATION, SPECIAL EXCEPTION, OR OTHER MODIFICATION THAT MATERIALLY OR

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SUBSTANTIALLY AFFECTS THE APPROVED DEVELOPMENT PLAN.

Referred to Committee on Labor, Commerce and Industry

H. 3623 -- Reps. Umphlett and Knight: A BILL TO AMEND SECTION 43-26-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN RELATION TO THE OPERATION OF VENDING FACILITIES BY BLIND PERSONS, SO AS TO REVISE THE DEFINITION OF "PUBLIC PROPERTY" AND "PROPERTY CUSTODIAN" BY REMOVING PROPERTY OWNED, LEASED, OR OCCUPIED BY A COUNTY, MUNICIPALITY, OR OTHER LOCAL GOVERNMENTAL ENTITY AND TO MAKE TECHNICAL CORRECTIONS.

Referred to Committee on Ways and Means

H. 3624 -- Reps. A. D. Young, Horne, Knight and Harrell: A BILL TO PROVIDE THAT EACH MEMBER OF THE DORCHESTER COUNTY TRANSPORTATION COMMITTEE IS ALLOWED AND MUST BE PAID FROM DORCHESTER COUNTY "C" FUND REVENUES SEVENTY-FIVE DOLLARS FOR EACH MEETING AT WHICH THE MEMBER IS IN ATTENDANCE.

Referred to Dorchester Delegation

H. 3625 -- Rep. Herbkensman: A BILL TO AMEND SECTION 11-35-1528, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMPETITIVE BEST VALUE BIDDING IN CONNECTION WITH THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE FOR BENEFITS BASED FUNDING PROJECTS IN WHICH PAYMENTS TO VENDORS DEPEND UPON THE REALIZATION OF SPECIFIED SAVINGS OR REVENUE GAINS, TO PROVIDE FOR THEIR REQUIRED AND PERMISSIBLE TERMS AND THEIR FUNDING, TO REQUIRE MEASUREMENT TOOLS, AND TO PROVIDE FOR OVERSIGHT BY THE STATE BUDGET AND CONTROL BOARD.

Referred to Committee on Ways and Means

H. 3626 -- Rep. McLeod: A BILL TO AMEND SECTION 56-5-195, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUS SAFETY STANDARDS, SO AS TO PROVIDE THAT FORMER CHARTER BUSES ARE EXEMPT FROM THE

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REQUIRED STANDARDS WHEN OWNED AND OPERATED BY  
A SCHOOL DISTRICT.

Referred to Committee on Education and Public Works

H. 3627 -- Reps. Miller and Anderson: A BILL TO AMEND SECTION 59-67-535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF BOATS OPERATED BY THE STATE DEPARTMENT OF EDUCATION FOR THE TRANSPORTATION OF SCHOOL CHILDREN FROM ISLANDS TO MAINLAND SCHOOLS BY CERTAIN OTHER PERSONS, SO AS TO FURTHER PROVIDE FOR THE OPERATION OF THESE BOATS BY THE DEPARTMENT ON SANDY ISLAND, FOR USE OF THESE BOATS BY SPECIFIED PERSONS, AND THE PROCEDURES APPLICABLE FOR USE.

On motion of Rep. MILLER, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

H. 3628 -- Reps. Brady, Toole, Harrison, Agnew, Sellers, Merrill, Herbkerman, Erickson, Bowen, Cato, Bowers, R. L. Brown, Funderburk and Harvin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 12 TO CHAPTER 52, TITLE 48 SO AS TO CREATE THE SOUTH CAROLINA RENEWABLE ENERGY PLAN, SO AS TO AUTHORIZE THE PUBLIC SERVICE COMMISSION TO APPROVE RENEWABLE ENERGY PROJECTS TO DEMONSTRATE THE FEASIBILITY AND VIABILITY OF CLEAN ENERGY SYSTEMS; TO PROVIDE FULL COST RECOVERY FOR CERTAIN COSTS INCURRED BY A PROVIDER FOR A RENEWABLE ENERGY PROJECT; TO REQUIRE EACH MUNICIPAL ELECTRIC UTILITY, EACH RURAL ELECTRIC COOPERATIVE, AND THE PUBLIC SERVICE AUTHORITY TO DEVELOP STANDARDS FOR PROMOTION, ENCOURAGEMENT, AND EXPANSION OF RENEWABLE ENERGY RESOURCES AND TO REQUIRE REPORTING REQUIREMENTS FOR THIS INFORMATION; TO LIMIT REGULATION OF A SOLAR COLLECTOR BY A MUNICIPALITY OR COUNTY; TO DECLARE A DEED RESTRICTION, COVENANT, OR SIMILAR BINDING AGREEMENT THAT WOULD PROHIBIT OR RESTRICT INSTALLATION OF A SOLAR COLLECTOR FOR CERTAIN PURPOSES, AND TO PROVIDE EXCEPTIONS; AND TO ESTABLISH THE SOUTH

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CAROLINA RENEWABLE ENERGY INFRASTRUCTURE DEVELOPMENT FUND IN THE STATE TREASURY; TO CREATE THE SOUTH CAROLINA RENEWABLE ENERGY REVOLVING LOAN PROGRAM TO PROVIDE A LOW INTEREST LOAN TO AN INDIVIDUAL OR ORGANIZATION TO BUILD A QUALIFIED RENEWABLE ENERGY PRODUCTION FACILITY; TO CREATE THE SOUTH CAROLINA RENEWABLE ENERGY GRANT PROGRAM TO PROVIDE A GRANT TO A PRIVATE OR PUBLIC ENTITY IN THIS STATE TO HELP THE ENTITY BECOME MORE COMPETITIVE IN OBTAINING GRANTS TO GENERATE RENEWABLE ENERGY-RELATED RESEARCH AND PROJECTS TO DIRECTLY BENEFIT THIS STATE; TO PROVIDE AN OVERSIGHT COMMITTEE TO APPROVE A DISBURSEMENT FROM THE FUND; TO PROVIDE THE COMPOSITION OF THE COMMITTEE; AND TO DEFINE CERTAIN TERMS, AMONG OTHER THINGS.

Referred to Committee on Labor, Commerce and Industry

H. 3629 -- Reps. Umphlett, Knight, Bowen, Whipper, Agnew, Allen, R. L. Brown, Erickson, Gambrell, Gullick, Herbkersman, Jefferson, Limehouse, Miller and E. H. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-19-35 SO AS TO PERMIT THE LAWFUL OPERATION OF THE LOTTERY GAME KNOWN AS A "RAFFLE" WHEN IT IS CONDUCTED BY A CHARITABLE ORGANIZATION AND ALL THE PROCEEDS EXCEPT COST OF PRIZES AND PRINTING OF TICKETS ARE USED FOR THE TAX EXEMPT PURPOSES OF THE ORGANIZATION; AND TO AMEND SECTION 59-150-20, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA EDUCATION LOTTERY ACT, SO AS TO REFLECT THAT THE "RAFFLE", WHEN CONDUCTED AS PRESCRIBED, IS A LAWFUL LOTTERY GAME.

Referred to Committee on Judiciary

H. 3630 -- Rep. Weeks: A BILL TO AMEND SECTION 5-15-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF A MUNICIPAL ELECTION COMMISSION IN EACH MUNICIPALITY TO CONDUCT MUNICIPAL ELECTIONS, SO AS TO REQUIRE ALL ELECTION COMMISSIONERS AND STAFF TO COMPLETE A TRAINING AND CERTIFICATION

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PROGRAM CONDUCTED BY THE STATE ELECTION COMMISSION.

Referred to Committee on Judiciary

H. 3631 -- Rep. Weeks: A BILL TO AMEND SECTIONS 7-15-220, 7-15-380, AS AMENDED, 7-15-385, AS AMENDED, AND 7-15-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CASTING A BALLOT BY MEANS OF AN ABSENTEE BALLOT, SO AS TO DELETE THE REQUIREMENT THAT THE SIGNATURE OR MARK OF AN ABSENTEE APPLICANT BE WITNESSED.

Referred to Committee on Judiciary

H. 3632 -- Rep. Gullick: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITIONS, SO AS TO PROVIDE THAT A RAFFLE CONDUCTED BY A CHARITABLE, RELIGIOUS, COMMUNITY-SERVICE, EDUCATION-RELATED, OR FRATERNAL ORGANIZATION EXEMPT FROM FEDERAL INCOME TAXATION IS NOT A LOTTERY PROHIBITED BY THE CONSTITUTION OF SOUTH CAROLINA, AND THAT THE GENERAL ASSEMBLY, THROUGH THE ENACTMENT OF GENERAL LAW, SHALL ESTABLISH THE LIMITATIONS AND PROCEDURES FOR THE RAFFLES.

Referred to Committee on Judiciary

H. 3633 -- Reps. Clemmons, Harrell, Harrison, Sandifer, Cato, Owens, White, Cooper, Duncan and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION SHALL ESTABLISH A PROCEDURE BY WHICH A QUALIFIED ELECTOR MAY CAST HIS BALLOT IN PERSON WITHOUT EXCUSE DURING AN EARLY VOTING PERIOD; TO ESTABLISH EARLY VOTING CENTERS TO ALLOW A REGISTERED COUNTY RESIDENT TO VOTE OUTSIDE THEIR PRECINCT; TO PROVIDE FOR THE ESTABLISHMENT OF EARLY VOTING LOCATIONS, THEIR HOURS OF OPERATION, AND REQUIRE THESE LOCATIONS AND TIMES TO BE IN COMPLIANCE WITH THE PROVISIONS

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OF SECTION 30-4-80; TO AMEND SECTION 7-15-330, AS AMENDED, RELATING TO THE TIME OF APPLICATION FOR AN ABSENTEE BALLOT, SO AS TO DELETE THE AUTHORIZATION THAT AN APPLICATION MAY BE REQUESTED BY A MEMBER OF THE IMMEDIATE FAMILY OF THE ELECTOR OR AN AUTHORIZED REPRESENTATIVE AND DELETE THE PROVISION ALLOWING A PERSON TO VOTE IN PERSON BY ABSENTEE BALLOT; TO AMEND SECTION 7-15-340, AS AMENDED, RELATING TO THE FORM OF THE APPLICATION FOR AN ABSENTEE BALLOT, TO REMOVE ALL MENTION OF REASON TO VOTE ABSENTEE, EXCEPT FOR CERTAIN FEDERAL PURPOSES; TO AMEND SECTION 7-15-370, AS AMENDED, RELATING TO FURNISHING BALLOTS AND ENVELOPES, TO REMOVE ALL MENTION OF QUALIFICATIONS TO RECEIVE AN ABSENTEE BALLOT; AND TO REPEAL SECTION 7-15-470 RELATING TO THE AUTHORIZATION OF A COUNTY BOARD OF REGISTRATION TO USE OTHER METHODS OF VOTING BY ABSENTEE BALLOT INSTEAD OF PAPER BALLOT.

Referred to Committee on Judiciary

H. 3634 -- Reps. Frye, Toole, Merrill, Huggins, Hardwick, Clemmons, Barfield, Haley, Whipper, Allison, Bales, Bingham, R. L. Brown, Clyburn, Cobb-Hunter, Crawford, Daning, Gullick, Horne, Gunn, Hosey, Hutto, Littlejohn, Long, Lowe, Millwood, Mitchell, Moss, J. M. Neal, Neilson, Ott, Owens, Parks, E. H. Pitts, M. A. Pitts, Simrill, J. R. Smith, Spires, Umphlett, Viers and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-73-750 SO AS TO REQUIRE AUTOMOBILE INSURERS TO NOTIFY INSURED'S WHEN PREMIUMS ARE INCREASED RESULTING FROM CHANGES IN THE INSURED'S CREDIT REPORTS AND REQUIRE THE INSURER TO SEND A COPY OF THE CREDIT REPORT WHEN NOTIFYING THE INSURED.

Referred to Committee on Labor, Commerce and Industry

H. 3635 -- Rep. Hodges: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-560 SO AS TO SPECIFY APPLICABLE FEES FOR RECREATIONAL SALTWATER FISHING LICENSES; BY ADDING SECTION 50-9-715 SO AS TO SPECIFY



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RECREATIONAL SALTWATER FISHING LICENSE EXEMPTIONS; BY ADDING SECTION 50-9-925 SO AS TO SPECIFY HOW THE REVENUE FROM THE SALE OF STAMPS, LICENSES, PRINTS, AND RELATED ARTICLES MUST BE DISTRIBUTED; TO AMEND SECTION 50-5-15, RELATING TO THE DEFINITIONS APPLICABLE TO THE SOUTH CAROLINA MARINE RESOURCES ACT, SO AS TO DEFINE THE TERMS "DROP NET" AND "FOLD UP TRAP"; TO AMEND SECTION 50-5-955, RELATING TO THE DESIGNATION AND MAINTENANCE OF PUBLIC SHELLFISH GROUNDS, SO AS TO SUBSTITUTE REFERENCE TO THE RECREATIONAL SALTWATER FISHING LICENSE FOR THE MARINE RECREATIONAL FISHING STAMP; TO AMEND SECTION 50-5-1915, RELATING TO CHARTER FISHING VESSEL LOGS, SO AS TO REQUIRE MONTHLY SUBMISSIONS TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 50-9-20, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES, SO AS TO REMOVE REFERENCES TO RESIDENT AND NONRESIDENT LICENSES; TO AMEND SECTION 50-9-40, RELATING TO LICENSES FOR FRESHWATER FISHING, SO AS TO SPECIFY RECREATIONAL FRESHWATER FISHING; TO AMEND SECTION 50-9-540, AS AMENDED, RELATING TO FRESHWATER AND SALTWATER FISHING LICENSES, SO AS TO MAKE TECHNICAL CORRECTIONS; AND TO REPEAL SECTIONS 50-5-1905, 50-5-1910, 50-5-1920, 50-5-1925, AND 50-5-1945 ALL RELATING TO RECREATIONAL SALTWATER FISHERIES LICENSES AND STAMPS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3636 -- Reps. Hutto, Stavrinakis and Knight: A BILL TO AMEND SECTION 12-37-712, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ACCESS TO MARINA RECORDS AND PREMISES, SO AS TO REQUIRE MARINAS TO VERIFY THE REGISTRATION INFORMATION OF ALL WATERCRAFT LEASING, RENTING, OR OTHERWISE OCCUPYING SPACE AT ITS FACILITY.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

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H. 3637 -- Rep. Vick: A BILL TO AMEND SECTIONS 14-1-206, 14-1-207, AND 14-1-208, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO ASSESSMENTS IN COURTS OF THE UNIFIED JUDICIAL SYSTEM, SO AS TO PROVIDE THAT NOT LESS THAN TWENTY-FIVE PERCENT OF THE REVENUE RETAINED FROM THESE ASSESSMENTS MUST BE ALLOCATED TO THE VICTIM WITNESS PROGRAM OF THE SOLICITOR IN WHOSE CIRCUIT THE COUNTY OR MUNICIPALITY IS SITUATED; AND TO AMEND SECTION 14-1-211, AS AMENDED, RELATING TO GENERAL SESSIONS COURT SURCHARGES, SO AS TO PROVIDE THAT NOT LESS THAN TWENTY-FIVE PERCENT OF THE REVENUE RETAINED FROM THESE SURCHARGES MUST BE ALLOCATED TO THE VICTIM WITNESS PROGRAM OF THE SOLICITOR IN WHOSE CIRCUIT THE COUNTY OR MUNICIPALITY IS SITUATED.

Referred to Committee on Ways and Means

H. 3638 -- Rep. McLeod: A BILL TO AMEND SECTION 38-73-737, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DRIVER TRAINING COURSE CREDIT TOWARD LIABILITY AND COLLISION INSURANCE COVERAGE, SO AS TO REDUCE THE INITIAL COURSE FROM EIGHT TO SIX HOURS; TO ALLOW FOR A FOUR HOUR REFRESHER COURSE EVERY THREE YEARS; AND TO ALLOW THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS FOR FIFTY-FIVE YEARS AND OLDER DRIVER SAFETY INTERNET COURSES.

Referred to Committee on Labor, Commerce and Industry

H. 3639 -- Rep. G. M. Smith: A BILL TO AMEND SECTION 14-5-610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS AND ADDITIONAL AT-LARGE JUDGES, SO AS TO INCREASE THE NUMBER OF AT-LARGE CIRCUIT COURT JUDGES FROM THIRTEEN TO SIXTEEN; TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO ADD THREE ADDITIONAL FAMILY COURT JUDGES WHO

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SHALL BE AT LARGE AND MUST BE ELECTED WITHOUT REGARD TO THEIR COUNTY OR CIRCUIT OF RESIDENCE.

Referred to Committee on Judiciary

H. 3640 -- Reps. Haley, Merrill, D. C. Smith, Bingham, Stringer, Erickson, G. M. Smith, Duncan, Thompson, Millwood, Toole, Frye, Ballentine, Edge, Hamilton, Herbkersman, E. H. Pitts, M. A. Pitts, Wylie and T. R. Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA FISCAL ACCOUNTABILITY ACT" BY ADDING SECTION 2-15-140 SO AS TO CREATE A DIVISION WITHIN THE LEGISLATIVE AUDIT COUNCIL TO CONDUCT EVALUATIONS OF PROGRAMS OF CERTAIN STATE AGENCIES AND DEPARTMENTS TO DETERMINE IF THESE PROGRAMS HAVE OUTLIVED THEIR USEFULNESS OR MUST BE CHANGED TO ADDRESS THE PRIORITIES AND NEEDS OF THE CITIZENS THEY AFFECT, PROVIDE FOR A PROCEDURE FOR THE INITIATION OF A REVIEW AND FOR DISPOSITION OF ITS FINDINGS AFTER A REVIEW HAS BEEN COMPLETED, REQUIRE THE GOVERNOR IN THE PREPARATION OF THE ANNUAL RECOMMENDED STATE BUDGET TO APPLY "ZERO-BASE" BUDGETING PRINCIPLES, AND REQUIRE THE HOUSE WAYS AND MEANS COMMITTEE AND THE SENATE FINANCE COMMITTEE IN THE CONSIDERATION OF THE ANNUAL GENERAL APPROPRIATIONS BILL AND BILLS OR JOINT RESOLUTIONS MAKING SUPPLEMENTAL APPROPRIATIONS TO APPLY "ZERO-BASE" BUDGETING PRINCIPLES.

Referred to Committee on Ways and Means

S. 12 -- Senators Leatherman, Alexander, O'Dell, Cleary, Leventis, Elliott, Lourie, Malloy and Setzler: A BILL TO ESTABLISH THE SOUTH CAROLINA TAXATION REALIGNMENT COMMISSION, TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES, TO PROVIDE THAT THE COMMISSION MUST CONDUCT A COMPREHENSIVE STUDY OF THE STATE'S TAX SYSTEM AND SUBMIT A REPORT OF ITS RECOMMENDED CHANGES TO FURTHER THE GOAL OF MAINTAINING AND ENHANCING THE STATE AS AN OPTIMUM COMPETITOR IN THE EFFORT TO ATTRACT BUSINESSES AND INDIVIDUALS TO LOCATE, LIVE, WORK, AND INVEST IN THE STATE, AND TO PROVIDE

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FOR PROCEDURES GOVERNING THE CONSIDERATION OF  
LEGISLATION RESULTING FROM THE COMMISSION'S  
RECOMMENDATIONS.

Referred to Committee on Ways and Means

S. 132 -- Senators Sheheen and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-5-175 SO AS TO PROVIDE THAT A LENDER WHO DELIVERS AN UNSOLICITED CHECK TO A PERSON MUST DISCLOSE THAT THE CHECK SECURES A LOAN, THE TERMS OF THE LOAN, AND NOTICE THAT BY NEGOTIATING THE CHECK THE RECIPIENT HAS ENTERED INTO A LOAN AGREEMENT, TO PROVIDE PROTECTION AND RECOURSE FOR INTENDED PAYEES IF AN UNSOLICITED CHECK IS CASHED FRAUDULENTLY, AND TO PROVIDE THAT A VIOLATION OF THIS SECTION IS AN UNFAIR TRADE PRACTICE AND SUBJECT TO APPROPRIATE PENALTIES AND ENFORCEMENT.

Referred to Committee on Labor, Commerce and Industry

S. 191 -- Senators McConnell, Malloy, Campsen, Sheheen, Ford, Rose, Campbell and Knotts: A BILL TO ENACT THE SOUTH CAROLINA REDUCTION OF RECIDIVISM ACT OF 2009, SO AS TO PROVIDE LAW ENFORCEMENT OFFICERS WITH THE STATUTORY AUTHORITY TO REDUCE RECIDIVISM RATES, APPREHEND CRIMINALS AND PROTECT POTENTIAL VICTIMS FROM CRIMINAL ENTERPRISES BY AUTHORIZING WARRANTLESS SEARCHES AND SEIZURES OF PROBATIONERS AND PAROLEES; TO AMEND SECTION 20-7-8305, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF JUVENILE PAROLE, SO AS TO PROVIDE THAT BEFORE A JUVENILE MAY BE CONDITIONALLY RELEASED, THE JUVENILE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 20-7-8320, RELATING TO CONDITIONAL RELEASE, SO AS TO PROVIDE THAT THE JUVENILE MUST BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-19-110, RELATING TO THE PROCEDURE FOR CONDITIONAL RELEASE OF YOUTHFUL OFFENDERS, SO AS

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TO PROVIDE THAT BEFORE A YOUTHFUL OFFENDER MAY BE CONDITIONALLY RELEASED, THE YOUTHFUL OFFENDER MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-13-710, RELATING TO THE GUIDELINES, ELIGIBILITY CRITERIA, AND IMPLEMENTATION OF A SUPERVISED FURLOUGH PROGRAM, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON SUPERVISED FURLOUGH, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-13-720, RELATING TO INMATES WHO MAY BE PLACED WITHIN CERTAIN PROGRAMS, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON SUPERVISED FURLOUGH, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-13-1330, RELATING TO A COURT INMATE'S AGREEMENT TO TERMS AND CONDITIONS, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON PAROLE, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-21-410, RELATING TO THE COURT BEING AUTHORIZED TO SUSPEND IMPOSITION OF SENTENCE FOR PROBATION AFTER CONVICTION, SO AS TO PROVIDE THAT BEFORE A DEFENDANT MAY BE PLACED ON PROBATION, THE DEFENDANT MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24-21-430, RELATING TO THE CONDITIONS OF PROBATION, SO AS TO PROVIDE THAT THE CONDITIONS IMPOSED MUST INCLUDE THE REQUIREMENT THAT THE PROBATIONER MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24-21-560, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO PROVIDE THAT THE CONDITIONS OF PARTICIPATION MUST INCLUDE THE REQUIREMENT THAT THE OFFENDER MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO

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AMEND SECTION 24-21-640, RELATING TO THE CIRCUMSTANCES WARRANTING PAROLE, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON PAROLE, THE INMATE MUST AGREE TO SEARCH AND SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; AND TO AMEND SECTION 24-21-645, RELATING TO THE ORDER AUTHORIZING PAROLE, SO AS TO PROVIDE THAT THE CONDITIONS OF PAROLE MUST INCLUDE THE REQUIREMENT THAT THE PAROLEE MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE.

Referred to Committee on Judiciary

S. 245 -- Senators McConnell and Ford: A BILL TO AMEND SECTION 63-3-530 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS ADDED BY ACT 361 OF 2008, RELATING TO CHILD SUPPORT PAYMENTS, TO PERMIT A FAMILY COURT JUDGE TO MAKE AN ORDER FOR CHILD SUPPORT RUN PAST THE AGE OF EIGHTEEN IF THE CHILD IS ENROLLED AND STILL ATTENDING HIGH SCHOOL, NOT TO EXCEED HIGH SCHOOL GRADUATION OR THE END OF THE SCHOOL YEAR AFTER THE CHILD REACHES NINETEEN YEARS OF AGE, WHICHEVER OCCURS FIRST.

Referred to Committee on Judiciary

S. 317 -- Senator Fair: A JOINT RESOLUTION TO SUSPEND THE PROVISIONS CONTAINED IN ACT 295 OF 2008, RELATING TO DENTAL TECHNOLOGICAL WORK, UNTIL JANUARY 1, 2010.

Referred to Committee on Medical, Military, Public and Municipal Affairs

S. 462 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF CHIROPRACTIC EXAMINERS, RELATING TO APPLICATION, RENEWAL, AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 3206, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Medical, Military, Public and Municipal Affairs

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**H. 3565--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3565 -- Reps. Clemmons, Horne and A. D. Young: A BILL TO AMEND SECTION 4-9-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY COUNCIL MEMBERS HOLDING OTHER OFFICES AND THE SALARY AND COMPENSATION OF COUNCIL MEMBERS, SO AS TO PROVIDE THAT AN ORDINANCE REDUCING THE SALARY OF A COUNCIL MEMBER IS EFFECTIVE ON THIRD READING OF THE ORDINANCE, UNLESS PROVIDED OTHERWISE.

Rep. CLEMMONS proposed the following Amendment No. 3 (COUNCIL\DKA\3199DW09) which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Section 5-7-170 of the 1976 Code is amended to read:

“Section 5-7-170. (A) The council may determine the annual salary of its members by ordinance; provided, that an ordinance establishing or increasing ~~such~~ the salaries ~~shall~~ must not become effective until the commencement date of the terms of two or more members elected at the next general election following the adoption of the ordinance. At ~~which that~~ time it ~~will become~~ becomes effective for all members whether or not they were elected in ~~such~~ that election.

(B) An ordinance reducing the salary of council is effective on the date the ordinance receives third reading, unless provided otherwise.

(C) The mayor and council members ~~may~~ also may receive payment for actual expenses incurred in the performance of their official duties within limitations prescribed by ordinance.” /

Renumber sections to conform.

Amend title to conform.

Rep. BALES moved to table the amendment, which was agreed to.

Rep. CLEMMONS moved to adjourn debate on the Bill, which was agreed to.

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**H. 3121--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3121 -- Reps. J. E. Smith, E. H. Pitts, T. R. Young, Hutto, M. A. Pitts, Allison and Parker: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-15-75 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO REMOVE, OR ATTEMPT TO REMOVE, FROM THIS STATE MORE THAN TEN TURTLES OF CERTAIN NAMED SPECIES, TO PROVIDE EXCEPTIONS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Rep. CATO moved to adjourn debate on the Bill, which was agreed to.

**H. 3179--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3179 -- Reps. Cooper, Battle, H. B. Brown, Funderburk, Hodges, T. R. Young, Vick, Hardwick, Clemmons and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-10-400 SO AS TO ENACT THE "SOUTH CAROLINA FARM TO SCHOOL PROGRAM ACT", TO PROVIDE FOR THE CREATION OF THE SOUTH CAROLINA FARM TO SCHOOL PROGRAM, TO PROVIDE FOR THE DUTIES OF ITS DIRECTOR, AND TO ESTABLISH A WEBSITE DEDICATED TO PROGRAM INITIATIVES.

Rep. DUNCAN moved to adjourn debate on the Bill, which was agreed to.

**H. 3270--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3270 -- Reps. Duncan, Hodges, Allison, Parker, Weeks, Wylie and Whipper: A BILL TO AMEND SECTION 44-2-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION OF UNDERGROUND STORAGE TANKS, SO AS TO ESTABLISH NEW ANNUAL RENEWAL FEES AND TO REQUIRE THAT THE ADDITIONAL REVENUE GENERATED



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FROM THE TANK FEE INCREASES BE DEPOSITED INTO THE SUPERB ACCOUNT.

Rep. DUNCAN moved to adjourn debate on the Bill, which was agreed to.

**H. 3616--POINT OF ORDER**

The following Bill was taken up:

H. 3616 -- Rep. Simrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 25 TO CHAPTER 53, TITLE 59 SO AS TO PROVIDE FOR THE YORK TECHNICAL COLLEGE ENTERPRISE CAMPUS, AND TO PROVIDE FOR ITS POWERS AND DUTIES.

**POINT OF ORDER**

Rep. SANDIFER made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**H. 3042--REQUEST FOR DEBATE WITHDRAWN**

Reps. DUNCAN withdrew his request for debate on H. 3042; however, other requests for debate remained on the Bill.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. CATO.

**H. 3067--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3067 -- Reps. Clemmons, Brady, M. A. Pitts, Merrill, Wylie, Bingham, Viers, Harrell, Owens, Nanney and Bedingfield: A BILL TO AMEND SECTION 7-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT A CANDIDATE FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT A CANDIDATE FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION;

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AND TO AMEND SECTION 7-13-320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT A CANDIDATE'S NAME FROM APPEARING ON THE BALLOT MORE THAN ONCE.

Rep. OTT moved to adjourn debate on the Bill.

Rep. CLEMMONS moved to table the motion.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 61; Nays 13

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Clemmons	Cole	Cooper
Daning	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Knight	Limehouse
Littlejohn	Loftis	Long
Lucas	Merrill	Millwood
Nanney	Owens	Parker
Pinson	E. H. Pitts	Sandifer
Simrill	Skelton	G. M. Smith
G. R. Smith	Sottile	Stavrinakis
Stewart	Stringer	Thompson
Toole	Umphlett	White
Willis	Wylie	A. D. Young
T. R. Young		

**Total--61**

Those who voted in the negative are:

Bales	Branham	H. B. Brown
Funderburk	Hayes	Hutto

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McLeod	Miller	Moss
J. M. Neal	Ott	J. E. Smith
Vick		

**Total--13**

So, the motion to adjourn debate was tabled.

Rep. J. E. SMITH moved to continue the Bill.

Rep. CATO demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 11; Nays 61

Those who voted in the affirmative are:

Bales	Branham	H. B. Brown
Funderburk	Hayes	Hutto
McLeod	Moss	Ott
J. E. Smith	Vick	

**Total--11**

Those who voted in the negative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Clemmons	Cole	Cooper
Daning	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Knight	Limehouse
Loftis	Long	Lucas
Merrill	Miller	Millwood
Nanney	J. M. Neal	Owens
Parker	Pinson	E. H. Pitts
Sandifer	Simrill	Skelton
G. R. Smith	Sottile	Stavrinakis
Stewart	Stringer	Thompson

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Toole	Umphlett	White
Willis	Wylie	A. D. Young
T. R. Young		

**Total--61**

So, the House refused to continue the Bill.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\DKA\3154DW09), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/ SECTION 2. Section 7-13-320(D) of the 1976 Code is amended to read:

“(D) The names of candidates offering for ~~any other~~ another office ~~shall~~ must be placed in the proper place on the appropriate ballot, stating whether it is a state, congressional, legislative, county, or other office. A candidate’s name may not appear on the ballot more than once for any single office for the same election.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. COOPER moved cloture on the entire matter.

Rep. COOPER demanded the yeas and nays which were taken, resulting as follows:

Yeas 53; Nays 20

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bedingfield	Bingham	Bowen
Brady	Cato	Clemmons
Cole	Cooper	Daning
Delleney	Edge	Erickson
Forrester	Frye	Gambrell
Gullick	Hamilton	Hardwick
Harrell	Hearn	Herbkersman
Hiott	Horne	Huggins

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Kelly	Limehouse	Littlejohn
Loftis	Long	Millwood
Nanney	Owens	Parker
Pinson	E. H. Pitts	Sandifer
Simrill	Skelton	G. M. Smith
G. R. Smith	Sottile	Stewart
Stringer	Toole	Umphlett
White	Willis	Wylie
A. D. Young	T. R. Young	

**Total--53**

Those who voted in the negative are:

Bales	Ballentine	Branham
H. B. Brown	Duncan	Funderburk
Haley	Hayes	Hutto
Knight	Lucas	McLeod
Miller	Moss	J. M. Neal
Ott	J. E. Smith	Stavrinakis
Thompson	Vick	

**Total--20**

So, cloture was ordered.

Rep. J. E. SMITH spoke against the amendment.

The question then recurred to the adoption of the amendment.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 61; Nays 10

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Bedingfield	Bingham	Bowen
Brady	Cato	Clemmons
Cole	Cooper	Daning
Delleney	Duncan	Edge
Erickson	Forrester	Frye
Gambrell	Gullick	Haley

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Hamilton	Hardwick	Harrell
Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly
Knight	Limehouse	Littlejohn
Loftis	Long	Lucas
Merrill	Millwood	Moss
Nanney	Owens	Parker
Pinson	E. H. Pitts	Sandifer
Simrill	Skelton	G. M. Smith
G. R. Smith	Sottile	Stavrinakis
Stewart	Stringer	Thompson
Toole	Umphlett	White
Willis	Wylie	A. D. Young
T. R. Young		

**Total--61**

Those who voted in the negative are:

Bales	Branham	H. B. Brown
Funderburk	Hutto	McLeod
Miller	Ott	J. E. Smith
Vick		

**Total--10**

So, the amendment was adopted.

Reps. CLEMMONS and HARRELL proposed the following Amendment No. 3 (COUNCIL\DKA\3220DW09), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION \_\_. Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7-13-1115. (A) In order to be certified as part of the total number of votes cast, a ballot must indicate a vote cast for a single candidate. A vote, with the exception of a vote for electors for President of the United States and Vice President of the United States pursuant to Section 7-13-1320, may not be cast for a political party.

(B) A ballot that does not contain an individual vote for a single candidate for a single office, whether indicated on the ballot or as a write in, must be considered improperly marked as to that office only.”

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SECTION \_\_\_\_ Section 7-13-330 of the 1976 Code, as amended by Act 236 of 2000, is further amended to read:

“Section 7-13-330. The arrangement of general election ballots containing the names of candidates for office must conform as nearly as possible to the following plan, with a column or columns added in case of nomination by petition and a blank column added for write-in votes, and must contain the specified instructions there set forth and no other:

GENERAL ELECTION OFFICIAL BALLOT

No. \_\_\_\_\_ COUNTY, SOUTH CAROLINA

November \_\_, \_\_\_\_

\_\_\_\_\_  
Initials of Issuing Officer

OFFICIAL BALLOT

GENERAL ELECTION

\_\_\_\_\_ County, South Carolina

November \_\_, \_\_\_\_

Precinct \_\_\_\_\_

INSTRUCTIONS--~~To vote a straight party ticket, make a cross (X) in the circle (O) under the name of your party. Nothing further need or should be done. To vote a mixed ticket, or in other words for candidates of different parties or petition candidates, omit making a cross (X) mark in the party circle at the top and make a cross (X) in the voting square [ ] opposite the name of each candidate on the ballot for whom you wish to vote. Only those candidates for whom the voting square is marked shall receive a vote.~~ If you wish to vote for a candidate not on any ticket, write or place the name of such candidate on your ticket opposite the name of the office. Before leaving the booth, fold the ballot so that the initials of the manager may be seen on the outside of the ballot.

Nomination by

Name of PartyName of PartyPetition

Names of Office      0      0

-----  
STATE      Governor   Governor   Governor  
Governor    [ ] Name of   [ ] Name of   [ ] Name of  
Candidate   Candidate   Candidate

-----  
Lieutenant    Lieut. Governor Lieut. Governor Lieut. Governor  
Governor    [ ] Name of   [ ] Name of   [ ] Name of  
Candidate   Candidate   Candidate

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Secretary of State    Sec. of State    Sec. of State    Sec. of State  
[ ] Name of    [ ] Name of    [ ] Name of  
Candidate    Candidate    Candidate  
-----

CONGRES-    U.S. Senator    U.S. Senator    U.S. Senator  
SIONAL    [ ] Name of    [ ] Name of    [ ] Name of  
Senator    Candidate    Candidate    Candidate  
-----

Representative    U.S. Repre-    U.S. Repre-    U.S. Repre-  
in Congress    sentative    sentative    sentative  
[ ] Name of    [ ] Name of    [ ] Name of  
District    Candidate    Candidate    Candidate ”

SECTION \_\_. Section 7-13-1340 of the 1976 Code, as last amended by Act 223 of 2006, is further amended to read:

“Section 7-13-1340. A vote recorder or optical scan voting device must not be adopted or used unless it:

(a) provides facilities for voting for the candidates as may be nominated and upon the questions as may be submitted;

(b) ~~permits each elector, at other than primaries, to vote a straight party or body ticket, in one operation; and, in one operation, to vote for all the candidates of one party or body for every office to be voted for, except those offices as to which the elector votes for individual candidates;~~

~~(c)~~ permits each elector, at other than primaries, to vote a ticket selected from the nominees of any and all parties or bodies, from independent nominations, and from persons not in nomination;

~~(d)~~(c) permits each elector to vote, at any election, for any person and for any office for whom and for which the elector is lawfully entitled to vote, whether or not the name of the person or persons appears upon a ballot label as a candidate for election, and to vote for as many persons for an office as the elector is entitled to vote for, and to vote for or against any question upon which the elector is entitled to vote;

~~(e)~~(d) precludes, when used in conjunction with a tabulating machine, the counting of votes for any candidate, or upon any question, for whom or upon which an elector is not entitled to vote, and precludes the counting of votes for more persons for any office than the elector is entitled to vote for or for fewer than the elector is required to vote for, and precludes the counting of votes for any candidate for the same office or upon any question more than once;



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~~(f)~~(e) permits voting in absolute secrecy, so that a person shall not see or know for whom any other elector has voted or is voting, except an elector whom the person has assisted or is assisting in voting, as prescribed by law;

~~(g)~~(f) is constructed of material of good quality, in a neat and workmanlike manner;

~~(h)~~(g) records, when properly operated, correctly and accurately every vote cast;

~~(i)~~(h) is constructed so that an elector may readily learn the method of operating it;

~~(j)~~(i) is safely transportable; and

~~(k)~~(j) if approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7-13-1330(C), is able to electronically transmit vote totals for all elections to the State Election Commission in a format and time frame specified by the commission.”

SECTION \_\_. Section 7-15-360 of the 1976 Code, as last amended by Act 434 of 1996, is further amended to read:

“Section 7-15-360. The board of registration of each county must be furnished by the commissioners of election of the county or the county committee for each political party holding a primary, a sufficient number of ballots and envelopes not to exceed fifteen percent of the number of registered voters in that county to enable the board of registration to deliver these materials to qualified electors who desire to vote by absentee ballot. If an absentee ballot is not available at the time the voter requests it, the board of registration must provide a blank ballot to allow the voter to write in his: ~~(1)~~ selections of candidates; ~~(2)~~ selection of party, if he wishes to vote a straight party ticket; and ~~(3)~~ support or opposition of any ballot measure.

SECTION \_\_. Section 7-15-365 of the 1976 Code, as last amended by Act 434 of 1996, is further amended to read:

“Section 7-15-365. The board of registration of each county must be furnished by the municipal election commission of each municipality holding an election or the executive committee of a municipal party holding a primary, a sufficient number of ballots, envelopes, and instructions to the absentee voter not to exceed fifteen percent of the number of registered voters in the municipality and sufficient postage to enable the board of registration to deliver materials to qualified electors desiring to vote by absentee ballot. The envelope required by item (4) of Section 7-15-370 must bear the return address of the county board of registration. If an absentee ballot is not

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available at the time the voter requests it, the board of registration must provide a blank ballot to allow the voter to write in his: ~~(1)~~ selections of candidates; ~~(2) selection of party, if he wishes to vote a straight party ticket;~~ and ~~(3)~~ support or opposition of any ballot measure.”

SECTION \_\_\_\_\_. The last paragraph of Section 7-15-370 of the 1976 Code, as last amended by Act 434 of 1996, is further amended to read:

“If absentee ballots are not available at the time the voter requests one, the board of registration must provide a blank ballot to allow the voter to write in his: ~~(1)~~ selections of candidates; ~~(2) selection of party, if he wishes to vote straight party ticket;~~ and ~~(3)~~ support or opposition of any ballot measure.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS spoke in favor of the amendment.

Rep. OTT spoke against the amendment.

### LEAVE OF ABSENCE

The SPEAKER granted Rep. MOSS a leave of absence for the remainder of the day.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 64; Nays 0

Those who voted in the affirmative are:

Allison	Bales	Ballentine
Bannister	Barfield	Bingham
Bowen	Brady	Cato
Clemmons	Cole	Cooper
Daning	Delleney	Duncan
Edge	Forrester	Frye
Funderburk	Gambrell	Gullick
Haley	Hardwick	Harrell
Hayes	Hearn	Herbkersman
Huggins	Hutto	Kelly
Knight	Limehouse	Littlejohn
Loftis	Long	Lucas
McLeod	Merrill	Miller
Millwood	Moss	Nanney
J. M. Neal	Owens	Parker

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Pinson	E. H. Pitts	Sandifer
Simrill	Skelton	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Stavrinakis	Stewart	Stringer
Thompson	Toole	Umphlett
White	Willis	Wylie
T. R. Young		

**Total--64**

Those who voted in the negative are:

**Total--0**

So, the amendment was adopted.

Rep. \_\_\_\_\_ proposed the following Amendment No. 4, which was ruled out of order:

Allow you to be on two parties.

**POINT OF ORDER**

Rep. CLEMMONS raised the Point of Order that Amendment No. 4 was out of order as it was improperly drawn since it had no sponsors.

SPEAKER HARRELL sustained the Point of Order and ruled the Amendment out of order.

Rep. OTT spoke against the Bill.

Rep. J. E. SMITH spoke against the Bill.

Rep. H. B. BROWN spoke against the Bill.

Rep. STAVRINAKIS spoke in favor of the Bill.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. STAVRINAKIS continued speaking.

Rep. MCLEOD spoke against the Bill.

**POINT OF QUORUM**

The question of a quorum was raised by Representative J. E. Smith. A quorum was present.

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Rep. VICK spoke against the Bill.

Rep. MILLER spoke against the Bill.

### **SPEAKER IN CHAIR**

### **POINT OF QUORUM**

The question of a quorum was raised by Representative Ott.

A quorum was present.

### **POINT OF ORDER**

Rep. J. E. SMITH raised the Point of Order that the vote was out of order since the results of the vote had not been tabulated in accordance with Rule 7.3b.

SPEAKER HARRELL stated that the Point of Order comes too late because it had been established that a quorum was present. He stated further that the rule only required a roll call vote on the question where the "yeas" and "nays" were taken. Therefore, he overruled the Point of Order.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 61; Nays 7

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Clemmons	Cole	Cooper
Daning	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Hayes	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Limehouse
Littlejohn	Loftis	Long
Lucas	Merrill	Millwood
Nanney	Owens	Parker
Pinson	E. H. Pitts	Sandifer
Simrill	Skelton	G. M. Smith
G. R. Smith	Sottile	Stavrinakis

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Stewart	Stringer	Thompson
Toole	Umphlett	White
Willis	Wylie	A. D. Young
T. R. Young		

**Total--61**

Those who voted in the negative are:

H. B. Brown	Funderburk	Hutto
Miller	Ott	J. E. Smith
Vick		

**Total--7**

So, the Bill, as amended, was read the second time and ordered to third reading.

**RECORD FOR VOTING**

I was temporarily out of the Chamber during the vote on H. 3067. If I had been present, I would have voted against the Bill.

Rep. Walt McLeod

**RECORD FOR VOTING**

I had requested a temporary leave of absence because of a meeting with the Macedonia V.F.D. If I had been present for the vote on H. 3067, I would have voted in favor of this Bill.

Rep. Dennis Moss

**H. 3067--MOTION TO RECONSIDER TABLED**

Rep. LOFTIS moved to reconsider the vote whereby the following Bill was read the second time.:

H. 3067 -- Reps. Clemmons, Brady, M. A. Pitts, Merrill, Wylie, Bingham, Viers, Harrell, Owens, Nanney and Bedingfield: A BILL TO AMEND SECTION 7-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT A CANDIDATE FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT A CANDIDATE FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION;

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AND TO AMEND SECTION 7-13-320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT A CANDIDATE'S NAME FROM APPEARING ON THE BALLOT MORE THAN ONCE.

Rep. LOFTIS moved to table the motion to reconsider, which was agreed to.

Rep. LIMEHOUSE moved that the House do now adjourn.

Rep. MERRILL demanded the yeas and nays which were taken, resulting as follows:

Yeas 21; Nays 45

Those who voted in the affirmative are:

Bannister	Bedingfield	H. B. Brown
Edge	Funderburk	Gullick
Hamilton	Hutto	Limehouse
Littlejohn	Nanney	J. M. Neal
Ott	Owens	Pinson
J. E. Smith	Sottile	Stavrinakis
Stringer	Vick	Wylie

**Total--21**

Those who voted in the negative are:

Allison	Ballentine	Barfield
Bingham	Bowen	Brady
Branham	Cato	Clemmons
Cole	Daning	Delleney
Duncan	Erickson	Forrester
Gambrell	Haley	Hardwick
Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly
Loftis	Long	Lucas
Merrill	Miller	Millwood
Parker	E. H. Pitts	Sandifer
Simrill	Skelton	G. M. Smith
G. R. Smith	Stewart	Thompson

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Toole	Umphlett	White
Willis	A. D. Young	T. R. Young

**Total--45**

So, the House refused to adjourn.

**H. 3084--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3084 -- Reps. Toole, Wylie and Hamilton: A BILL TO AMEND SECTION 57-3-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NAMING OF A HIGHWAY FACILITY IN HONOR OF AN INDIVIDUAL, SO AS TO PROVIDE THAT UNLESS THE HIGHWAY FACILITY IS DEDICATED AND NAMED IN HONOR OF EITHER A SERVICEMAN OR LAW ENFORCEMENT OFFICER KILLED IN THE LINE OF DUTY, PUBLIC FUNDS MAY NOT BE USED TO REIMBURSE THE DEPARTMENT OF TRANSPORTATION FOR THE EXPENSES IT INCURS TO NAME AND DEDICATE THE HIGHWAY FACILITY.

The question then recurred to the passage of the Bill, cloture having been ordered.

Rep. BEDINGFIELD moved to adjourn debate on the Bill, which was agreed to.

**H. 3042--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3042 -- Reps. Merrill, Parker, Huggins, H. B. Brown, Anderson, J. E. Smith, Miller, M. A. Pitts, Toole, Hayes, Bales, Jennings, Herbkersman, Vick, Rutherford, Hart, Sellers, McLeod, Moss, Hiott, Alexander, Gambrell, Bingham, Brady, Sandifer, Bedingfield, Ott, Hutto, G. R. Smith, Millwood, Whipper and Bannister: A BILL TO AMEND SECTIONS 40-81-20, 40-81-50, 40-81-70, 40-81-230, 40-81-280, 40-81-430, AND 40-81-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO REGULATIONS OF VARIOUS ATHLETIC AND SPORTING ACTIVITIES BY THE STATE ATHLETIC COMMISSION; BY ADDING SECTION 40-81-445 SO AS TO MAKE THE COMBATIVE SPORT OF MIXED

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MARTIAL ARTS LEGAL IN SOUTH CAROLINA, AND TO PROVIDE FOR THE MANNER IN WHICH THE STATE ATHLETIC COMMISSION SHALL SUPERVISE AND REGULATE MIXED MARTIAL ARTS COMPETITIONS; AND TO REPEAL SECTION 40-81-530 RELATING TO ULTIMATE FIGHTING EVENTS AS BEING UNLAWFUL.

Rep. SANDIFER explained the Bill.

Rep. MCLEOD spoke upon the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 57; Nays 8

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bedingfield	Bingham	Bowen
Brady	Branham	H. B. Brown
Cato	Clemmons	Cole
Cooper	Delleney	Duncan
Edge	Erickson	Forrester
Funderburk	Gambrell	Gullick
Haley	Harrell	Hayes
Hiott	Horne	Huggins
Kelly	Limehouse	Littlejohn
Loftis	Long	Lucas
McLeod	Merrill	Millwood
Nanney	J. M. Neal	Ott
Owens	Parker	Pinson
E. H. Pitts	Sandifer	Simrill
Skelton	G. M. Smith	G. R. Smith
J. E. Smith	Sottile	Stavrinakis
Thompson	Toole	Vick
White	Willis	A. D. Young

**Total--57**



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Those who voted in the negative are:

Ballentine	Daning	Frye
Hamilton	Stewart	Stringer
Umphlett	T. R. Young	

**Total--8**

So, the Bill was read the second time and ordered to third reading.

**H. 3042--MOTION TO RECONSIDER TABLED**

Rep. MERRILL moved to reconsider the vote whereby the following Bill was read the second time:

H. 3042 -- Reps. Merrill, Parker, Huggins, H. B. Brown, Anderson, J. E. Smith, Miller, M. A. Pitts, Toole, Hayes, Bales, Jennings, Herbkersman, Vick, Rutherford, Hart, Sellers, McLeod, Moss, Hiott, Alexander, Gambrell, Bingham, Brady, Sandifer, Bedingfield, Ott, Hutto, G. R. Smith, Millwood, Whipper and Bannister: A BILL TO AMEND SECTIONS 40-81-20, 40-81-50, 40-81-70, 40-81-230, 40-81-280, 40-81-430, AND 40-81-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO REGULATIONS OF VARIOUS ATHLETIC AND SPORTING ACTIVITIES BY THE STATE ATHLETIC COMMISSION; BY ADDING SECTION 40-81-445 SO AS TO MAKE THE COMBATIVE SPORT OF MIXED MARTIAL ARTS LEGAL IN SOUTH CAROLINA, AND TO PROVIDE FOR THE MANNER IN WHICH THE STATE ATHLETIC COMMISSION SHALL SUPERVISE AND REGULATE MIXED MARTIAL ARTS COMPETITIONS; AND TO REPEAL SECTION 40-81-530 RELATING TO ULTIMATE FIGHTING EVENTS AS BEING UNLAWFUL.

Rep. MERRILL moved to table the motion to reconsider, which was agreed to.

**H. 3042--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. MERRILL, with unanimous consent, it was ordered that H. 3042 be read the third time tomorrow.

Rep. STAVRINAKIS moved that the House do now adjourn.

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Rep. SANDIFER demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 20; Nays 49

Those who voted in the affirmative are:

Bannister	Bedingfield	Branham
H. B. Brown	Edge	Funderburk
Gullick	Hamilton	Hayes
Hutto	Limehouse	McLeod
Nanney	J. M. Neal	Ott
J. E. Smith	Sottile	Stavrinakis
Stringer	Wylie	

**Total--20**

Those who voted in the negative are:

Allison	Ballentine	Barfield
Bingham	Bowen	Brady
Cato	Clemmons	Cole
Cooper	Daning	Delleney
Duncan	Erickson	Forrester
Frye	Gambrell	Haley
Hardwick	Harrell	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Littlejohn
Loftis	Long	Lucas
Merrill	Millwood	Owens
Parker	Pinson	E. H. Pitts
Sandifer	Simrill	Skelton
G. M. Smith	G. R. Smith	Stewart
Thompson	Toole	Umphlett
White	Willis	A. D. Young
T. R. Young		

**Total--49**

So, the House refused to adjourn.

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**H. 3247--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3247 -- Reps. Huggins and Duncan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-40-445 SO AS TO PROVIDE A LANDLORD OF A MULTI-FAMILY DWELLING MAY EMPLOY CERTAIN EQUIPMENT OR METHODOLOGY TO DETERMINE THE QUANTITY OF WATER PROVIDED TO EACH SINGLE-FAMILY RESIDENCE WITHIN THE DWELLING, AND TO PROVIDE THE LANDLORD MAY CHARGE A TENANT FOR WATER AND WASTEWATER USED BY HIS SINGLE-FAMILY RESIDENCE, AND TO PROVIDE EXCEPTIONS; TO AMEND SECTION 27-40-210, RELATING TO GENERAL DEFINITIONS IN THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO DEFINE A MULTI-FAMILY DWELLING; AND TO AMEND SECTION 27-40-440, RELATING TO A LANDLORD'S OBLIGATIONS, SO AS TO PROVIDE SPECIFIC REQUIREMENTS PERTAINING TO THE PROVISION OF CENTRAL HEAT AND HOT WATER TO A MULTI-FAMILY DWELLING.

Rep. SANDIFER explained the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 65; Nays 0

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bingham	Bowen
Brady	Branham	H. B. Brown
Cato	Clemmons	Cole
Cooper	Daning	Delleney
Duncan	Edge	Erickson
Forrester	Frye	Funderburk
Gambrell	Gullick	Haley
Hardwick	Harrell	Hayes
Hearn	Herbkersman	Hiott
Horne	Huggins	Hutto
Kelly	Limehouse	Littlejohn
Loftis	Long	Lucas

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McLeod	Merrill	Miller
Millwood	J. M. Neal	Ott
Parker	Pinson	E. H. Pitts
Sandifer	Simrill	Skelton
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Stavrinakis	Thompson
Toole	Umphlett	Vick
White	Willis	Wylie
A. D. Young	T. R. Young	

**Total--65**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 3247--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. SANDIFER, with unanimous consent, it was ordered that H. 3247 be read the third time tomorrow.

**RECURRENCE TO THE MORNING HOUR**

Rep. CLEMMONS moved that the House recur to the morning hour.

**H. 3565--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3565 -- Reps. Clemmons, Horne and A. D. Young: A BILL TO AMEND SECTION 4-9-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY COUNCIL MEMBERS HOLDING OTHER OFFICES AND THE SALARY AND COMPENSATION OF COUNCIL MEMBERS, SO AS TO PROVIDE THAT AN ORDINANCE REDUCING THE SALARY OF A COUNCIL MEMBER IS EFFECTIVE ON THIRD READING OF THE ORDINANCE, UNLESS PROVIDED OTHERWISE.

Rep. LOFTIS moved to reconsider the vote whereby Amendment 3 was tabled, which was agreed to.

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Rep. CLEMMONS proposed the following Amendment No. 3 (COUNCIL\DKA\3199DW09), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Section 5-7-170 of the 1976 Code is amended to read:

“Section 5-7-170. (A) The council may determine the annual salary of its members by ordinance; provided, that an ordinance establishing or increasing ~~such the~~ salaries ~~shall~~ must not become effective until the commencement date of the terms of two or more members elected at the next general election following the adoption of the ordinance. At ~~which that~~ time it ~~will become~~ becomes effective for all members whether or not they were elected in ~~such that~~ election.

(B) An ordinance reducing the salary of council is effective on the date the ordinance receives third reading, unless provided otherwise.

(C) The mayor and council members ~~may~~ also may receive payment for actual expenses incurred in the performance of their official duties within limitations prescribed by ordinance.” /

Renumber sections to conform.

Amend title to conform.

The amendment was then adopted.

Rep. OTT moved to adjourn debate on the Bill.

Rep. CLEMMONS moved to table the motion.

Rep. OTT demanded the yeas and nays which were taken, resulting as follows:

Yeas 53; Nays 12

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bingham	Bowen
Brady	Cato	Clemmons
Cole	Cooper	Daning
Delleney	Duncan	Edge
Erickson	Forrester	Gambrell
Gullick	Haley	Hardwick
Harrell	Hearn	Herbkersman

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Hiott	Horne	Huggins
Kelly	Limehouse	Littlejohn
Loftis	Long	Lucas
Merrill	Millwood	Parker
Pinson	E. H. Pitts	Sandifer
Simrill	Skelton	G. M. Smith
G. R. Smith	Sottile	Stewart
Thompson	Toole	Umphlett
White	Willis	Wylie
A. D. Young	T. R. Young	

**Total--53**

Those who voted in the negative are:

Branham	H. B. Brown	Frye
Funderburk	Hayes	Hutto
Miller	J. M. Neal	Ott
J. E. Smith	Stavrinakis	Vick

**Total--12**

So, the motion to adjourn debate was tabled.

Rep. COBB-HUNTER proposed the following Amendment No. 4 (COUNCIL\BBM\9198HTC09), which was ruled out of order:

Amend the bill, as and if amended, by adding a penultimate SECTION appropriately numbered to read:

/ SECTION \_\_. Section 6-1-320 of the 1976 Code is repealed. /

Re-number sections to conform.

Amend title to conform.

Rep. MCLEOD explained the amendment.

**POINT OF ORDER**

Rep. G. R. SMITH raised the Point of Order that Amendment No. 4 was out of order in that it was not germane to the Bill.

SPEAKER HARRELL stated that while the Bill dealt with the reduction in salaries for county council members, the Amendment attempted to delete tax caps in a different code section. He sustained the Point and ruled the Amendment out of order.

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Reps. COBB-HUNTER and McLEOD proposed the following Amendment No. 5 (COUNCIL\BBM\9200HTC09), which was ruled out of order:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 4-9-100 of the 1976 Code is amended to read:

“Section 4-9-100. (A) ~~No~~ A member of council, including supervisors, shall not hold ~~any other~~ another office of honor or profit in government, except military commissions and commissions as notaries public, during his elected term.

(B)(1) After adoption of a form of government as provided for in this chapter, council, ~~shall~~ by ordinance, shall prescribe the salary and compensation for its members.

(2) After the initial determination of salary, council, ~~may~~ by ordinance, may adjust the salary but the ordinance ~~changing~~ increasing the salary is not effective until the date of commencement of terms of at least two members of council elected at the next general election following the enactment of the ordinance affecting the salary changes at which time it will become effective for all members.

(3) A chairman of a county council who is assigned additional administrative duties may receive additional compensation as the council may provide. The additional compensation becomes effective with the passage of the ordinance increasing the compensation of the chairman.

(4) An ordinance reducing the salary of council is effective on the date the ordinance receives third reading, unless provided otherwise.

(5) Members ~~may~~ also may be reimbursed for actual expenses incurred in the conduct of their official duties.

(6) The restriction on salary changes does not apply to supervisors under the council-supervisor form of government whose salaries may be increased during their terms of office but supervisors shall not vote on the question when it is considered by council.”

SECTION 2. Article 1, Chapter 9, Title 4 of the 1976 Code is amended by adding:

“Section 4-9-105. The governing body of a county in exercising its authority pursuant to this title is exempt from the provisions of Section 6-1-320.”

SECTION 3. This act takes effect upon approval by the Governor. /

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Renumber sections to conform.  
Amend title to conform.

Rep. MCLEOD explained the amendment.

**POINT OF ORDER**

Rep. CLEMMONS raised the Point of Order that Amendment No. 5 was out of order in that it was not germane to the Bill.

SPEAKER HARRELL stated that while the Bill dealt with the reduction in salaries for county council members, the Amendment attempted to delete tax caps in a different code section. He sustained the Point and ruled the Amendment out of order.

Rep. KENNEDY proposed the following Amendment No. 1 (COUNCIL\GGS\22249AB09), which was tabled:

Amend the bill, as and if amended, SECTION 1, page 2, by adding an appropriately numbered paragraph to read:

/ ( ) Salary of council must be reduced by the same percentage by which council reduces the salaries of all county employees when the county employee salary reduction is by a single rate in an across-the-board reduction. /

Renumber sections to conform.  
Amend title to conform.

Rep. J. E. SMITH explained the amendment.

Rep. CLEMMONS moved to table the amendment, which was agreed to.

Rep. KENNEDY proposed the following Amendment No. 2 (COUNCIL\GGS\22250AB09), which was tabled:

Amend the bill, as and if amended, SECTION 1, page 2, by adding an appropriately numbered paragraph to read:

/ ( ) Salary of council must be reduced by the average of the percentages by which council reduces the salaries of all county employees when the county employee salary reduction is not by a single rate across-the-board.

Renumber sections to conform.  
Amend title to conform.

Rep. J. E. SMITH explained the amendment.



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Rep. CLEMMONS moved to table the amendment, which was agreed to.

The question then recurred to passage of the Bill, as amended, on second reading, which was agreed to.

**H. 3565--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. CLEMMONS, with unanimous consent, it was ordered that H. 3565 be read the third time tomorrow.

**H. 3121--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3121 -- Reps. J. E. Smith, E. H. Pitts, T. R. Young, Hutto, M. A. Pitts, Allison and Parker: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-15-75 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO REMOVE, OR ATTEMPT TO REMOVE, FROM THIS STATE MORE THAN TEN TURTLES OF CERTAIN NAMED SPECIES, TO PROVIDE EXCEPTIONS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

The Agriculture, Natural Resources and Environmental Affairs Committee proposed the following Amendment No. 1 (COUNCIL\GGS\22251AB09), which was adopted:

Amend the bill, as and if amended, by striking Section 50-15-75 of the 1976 Code, as contained in SECTION 1, and inserting:

/ Section 50-15-75. (A) It is unlawful for a person, or a group of individuals traveling in one vehicle, to remove, or attempt to remove from this State more than ten, either in one species or a combination of species, of the named species of turtles at one time with a maximum of twenty turtles of these species, either individually or in combination in any one year: yellowbelly turtle (*Trachemys scripta*), Florida cooter (*Pseudemys floridana*), river cooter (*Pseudemys concinna*), chicken turtle (*deirochelys reticularia*), eastern painted turtle (*Chrysemys picta*), spiny softshell turtle (*Apalone spinifera*), Florida softshell turtle (*Apalone ferox*), and common snapping turtle (*Chelydra serpentina*). A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine of two hundred dollars. Each turtle removed or in possession of a person

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attempting to remove them in violation of this section constitutes a separate offense.

(B) The provisions of this section do not prohibit the sale, offer for sale, or purchase of the yellowbelly turtle (*Trachemys scripta*) species and the common snapping turtle (*Chelydra serpentina*) species if these turtles were taken from a permitted aquaculture facility. A person selling, offering to sell, or purchasing these species must have documentation from the aquaculture facility as to the origin of the turtles. /

Renumber sections to conform.

Amend title to conform.

Rep. UMPHLETT explained the amendment.

The amendment was then adopted.

Rep. Umphlett proposed the following Amendment No. 2 (COUNCIL\GJK\20142SD09), which was adopted:

Amend the bill, as and if amended, by striking Section 50-15-75 of the 1976 Code, as contained in SECTION 1, and inserting:

/ Section 50-15-75. (A) It is unlawful for a person, or a group of individuals traveling in one vehicle, to remove, or attempt to remove from this State more than ten, either in one species or a combination of species, of the named species of turtles at one time with a maximum of twenty turtles of these species, either individually or in combination in any one year: yellowbelly turtle (*Trachemys scripta*), Florida cooter (*Pseudemys floridana*), river cooter (*Pseudemys concinna*), chicken turtle (*Deirochelys reticularia*), eastern box turtle (*Terrapene carolina*), eastern painted turtle (*Chrysemys picta*), spiny softshell turtle (*Apalone spinifer*), Florida softshell turtle (*Apalone ferox*), and common snapping turtle (*Chelydra serpentina*). A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine of two hundred dollars. Each turtle removed or in possession of a person attempting to remove them in violation of this section constitutes a separate offense.

(B) The provisions of this section do not prohibit the sale, offer for sale, or purchase of the yellowbelly turtle (*Trachemys scripta*) species and the common snapping turtle (*Chelydra serpentina*) species if these turtles were taken from a permitted aquaculture facility. A person selling, offering to sell, or purchasing these species must have documentation from the aquaculture facility as to the origin of the turtles. /

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Renumber sections to conform.  
Amend title to conform.

Rep. UMPHLETT explained the amendment.  
The amendment was then adopted.

The question then recurred to passage of the Bill, as amended, on second reading, which was agreed to.

**H. 3121--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. UMPHLETT, with unanimous consent, it was ordered that H. 3121 be read the third time tomorrow.

**H. 3179--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3179 -- Reps. Cooper, Battle, H. B. Brown, Funderburk, Hodges, T. R. Young, Vick, Hardwick, Clemmons and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-10-400 SO AS TO ENACT THE "SOUTH CAROLINA FARM TO SCHOOL PROGRAM ACT", TO PROVIDE FOR THE CREATION OF THE SOUTH CAROLINA FARM TO SCHOOL PROGRAM, TO PROVIDE FOR THE DUTIES OF ITS DIRECTOR, AND TO ESTABLISH A WEBSITE DEDICATED TO PROGRAM INITIATIVES.

Rep. DUNCAN explained the Bill.

Rep. VICK spoke in favor of the Bill.

Rep. HALEY moved to adjourn debate on the Bill until Tuesday, March 3, 2009.

Rep. COOPER moved to table the motion.

Rep. HALEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 55; Nays 9

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Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bingham	Bowen	Brady
Branham	H. B. Brown	Cato
Clemmons	Cole	Cooper
Delleney	Duncan	Edge
Erickson	Forrester	Funderburk
Gambrell	Gullick	Hardwick
Harrell	Hayes	Hearn
Herbkersman	Hiott	Horne
Huggins	Hutto	Kelly
Limehouse	Littlejohn	Loftis
Lucas	McLeod	Merrill
Miller	Millwood	J. M. Neal
Ott	Parker	Pinson
Sandifer	Simrill	Skelton
G. M. Smith	G. R. Smith	Sottile
Stavrinakis	Stewart	Thompson
Umphlett	Vick	White
A. D. Young		

**Total--55**

Those who voted in the negative are:

Ballentine	Daning	Frye
Haley	Long	E. H. Pitts
Toole	Wylie	T. R. Young

**Total--9**

So, the House refused to adjourn debate.

The question then recurred to the passage of the Bill on second reading.

Rep. HALEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 62; Nays 1

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Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bingham	Bowen
Brady	Branham	H. B. Brown
Cato	Clemmons	Cole
Cooper	Daning	Delleney
Duncan	Edge	Erickson
Forrester	Frye	Funderburk
Gambrell	Gullick	Hardwick
Harrell	Hayes	Hearn
Herbkersman	Hiott	Horne
Huggins	Hutto	Kelly
Limehouse	Littlejohn	Loftis
Lucas	McLeod	Merrill
Miller	Millwood	Ott
Parker	Pinson	E. H. Pitts
Sandifer	Simrill	Skelton
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Stavrinakis	Stewart
Thompson	Toole	Umphlett
Vick	White	Wylie
A. D. Young	T. R. Young	

**Total--62**

Those who voted in the negative are:

Haley

**Total--1**

So, the Bill was read the second time and ordered to third reading.

**H. 3179--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. COOPER, with unanimous consent, it was ordered that H. 3179 be read the third time tomorrow.

Rep. A. D. YOUNG moved that the House do now adjourn, which was agreed to.

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**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3593 -- Rep. G. A. Brown: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF ISAAC JOE, JR., OF COLUMBIA, MARYLAND, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

H. 3597 -- Reps. G. R. Smith, Bedingfield, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO RECOGNIZE BOB SHUMAKER, OF GREENVILLE COUNTY, AUTHOR OF "THE SCHMOONEY TRILOGIES", A CHILDREN'S BOOK SERIES FEATURING A LOVEABLE MAIN CHARACTER KNOWN AS THE SCHMOONEY WHO LEADS CHILDREN ON REMARKABLE ADVENTURES, TO COMMEND HIM FOR HIS DEDICATION TO IMPROVING READING SKILLS AND LITERACY ACROSS THE PALMETTO STATE, AND TO DECLARE THE SCHMOONEY THE HONORARY MASCOT FOR LITERACY IN SOUTH CAROLINA FOR 2009-2010.

H. 3598 -- Reps. Funderburk, Lucas, Gunn, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady,

**THURSDAY, FEBRUARY 26, 2009**

Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Gambrell, Gilliard, Govan, Gullick, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND MRS. FRANKYE C. HULL, GUARDIAN AD LITEM FOR KERSHAW COUNTY, FOR HER MANY YEARS OF OUTSTANDING COMMUNITY SERVICE, AND TO CONGRATULATE HER ON BEING NAMED G. F. BETTINESKI CHILD ADVOCATE OF THE YEAR, AN HONOR AWARDED ANNUALLY BY THE NATIONAL COURT APPOINTED SPECIAL ADVOCATE ASSOCIATION.

**ADJOURNMENT**

At 8:10 p.m. the House, in accordance with the motion of Rep. HERBKERSMAN, adjourned in memory of Yates Davis of Bluffton, to meet at 10:00 a.m. tomorrow.

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